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1 6.82 (1) (a) When any inspectors are informed that an elector is at the entrance
2 to the polling place who as a result of disability is unable to enter the polling place,
3 they shall permit the elector to be assisted in marking a ballot by any individual
4 selected by the elector, except the elector's employer or an agent of that employer or
5 an officer or agent of a labor organization which represents the elector. The
6 individual selected by the elector shall ~~provide identification~~ proof of residence under
7 s. 6.34 for the assisted elector, whenever required, and all other information
8 necessary for the elector to obtain a ballot under s. 6.79 (2). The inspectors shall issue
9 a ballot to the individual selected by the elector and shall accompany the individual
10 to the polling place entrance where the assistance is to be given. If the ballot is a
11 paper ballot, the assisting individual shall fold the ballot after the ballot is marked
12 by the assisting individual. The assisting individual shall then immediately take the
13 ballot into the polling place and give the ballot to an inspector. The inspector shall
14 distinctly announce that he or she has "a ballot offered by (stating person's name),
15 an elector who, as a result of disability, is unable to enter the polling place without
16 assistance". The inspector shall then ask, "Does anyone object to the reception of this
17 ballot?" If no objection is made, the inspectors shall record the elector's name under
18 s. 6.79 and deposit the ballot in the ballot box, and shall make a notation on the poll
19 list: "Ballot received at poll entrance".

20 **SECTION 66.** 6.855 of the statutes is created to read:

21 **6.855 Alternate absentee ballot site.** (1) The governing body of a
22 municipality may elect to designate a site other than the office of the municipal clerk
23 or board of election commissioners as the location from which electors of the
24 municipality may request and vote absentee ballots and to which voted absentee
25 ballots shall be returned by electors for any election. The designated site shall be

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1 located as near as practicable to the office of the municipal clerk or board of election
2 commissioners and no site may be designated that affords an advantage to any
3 political party. An election by a governing body to designate an alternate site under
4 this section shall be made no fewer than 14 days prior to the time that absentee
5 ballots are available for the primary under s. 7.15 (1) (cm), if a primary is scheduled
6 to be held, or at least 14 days prior to the time that absentee ballots are available for
7 the election under s. 7.15 (1) (cm), if a primary is not scheduled to be held, and shall
8 remain in effect until at least the day after the election. If the governing body of a
9 municipality makes an election under this section, no function related to voting and
10 return of absentee ballots that is to be conducted at the alternate site may be
11 conducted in the office of the municipal clerk or board of election commissioners.

12 (2) The municipal clerk or board of election commissioners shall prominently
13 display a notice of the designation of the alternate site selected under sub. (1) in the
14 office of the municipal clerk or board of election commissioners beginning on the date
15 that the site is designated under sub. (1) and continuing through the period that
16 absentee ballots are available for the election and for any primary under s. 7.15 (1)
17 (cm). If the municipal clerk or board of election commissioners maintains a Web site
18 on the Internet, the clerk or board of election commissioners shall post a notice of the
19 designation of the alternate site selected under sub. (1) on the Web site during the
20 same period that notice is displayed in the office of the clerk or board of election
21 commissioners.

22 (3) An alternate site under sub. (1) shall be staffed by the municipal clerk or
23 the executive director of the board of election commissioners, or employees of the
24 clerk or the board of election commissioners.

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1 (4) An alternate site under sub. (1) shall be accessible to all individuals with
2 disabilities.

3 SECTION 67. 6.86 (1) (a) (intro.) of the statutes is amended to read:

4 6.86 (1) (a) (intro.) Any elector, qualifying who is registered to vote whenever
5 required and who qualifies under ss. 6.20 and 6.85 as an absent elector, may make
6 written application to the municipal clerk for an official ballot by one of the following
7 methods:

8 SECTION 68. 6.86 (1) (a) 2. of the statutes is amended to read:

9 6.86 (1) (a) 2. In person at the office of the municipal clerk or at an alternate
10 site under s. 6.855, if applicable.

11 SECTION 69. 6.86 (1) (a) 6. of the statutes is created to read:

12 6.86 (1) (a) 6. By electronic mail or facsimile transmission as provided in par
13 (ac).

14 SECTION 70. 6.86 (1) (ac) of the statutes is created to read:

15 6.86 (1) (ac) Any elector qualifying under par. (a) may make written application
16 to the municipal clerk for an official ballot by means of facsimile transmission or
17 electronic mail. Any application under this paragraph shall contain a copy of the
18 applicant's original signature. An elector requesting a ballot under this paragraph
19 shall return with the voted ballot a copy of the request bearing an original signature
20 of the elector as provided in s. 6.87 (4).

21 SECTION 71. 6.86 (1) (b) of the statutes is amended to read:

22 6.86 (1) (b) Except as provided in this section, if application is made ~~in writing~~
23 by mail, the application, signed by the elector, shall be received no later than 5 p.m.
24 on the Friday 5th day immediately preceding the election. If application is made in
25 person, the application shall be made no later than 5 p.m. on the day preceding the

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1 election. If the elector is making written application and the application indicates
2 that the reason for requesting an absentee ballot is that the elector is a sequestered
3 juror, the application shall be received no later than 5 p.m. on election day. If the
4 application is received after 5 p.m. on the Friday immediately preceding the election,
5 the municipal clerk or the clerk's agent shall immediately take the ballot to the court
6 in which the elector is serving as a juror and deposit it with the judge. The judge shall
7 recess court, as soon as convenient, and give the elector the ballot. The judge shall
8 then witness the voting procedure as provided in s. 6.87 and shall deliver the ballot
9 to the clerk or agent of the clerk who shall deliver it to the polling place or, in
10 municipalities where absentee ballots are canvassed under s. 7.52, to the municipal
11 clerk as required in s. 6.88. If application is made under sub. (2), the application may
12 be received no later than 5 p.m. on the Friday immediately preceding the election.

13 **SECTION 72.** 6.86 (1) (c) of the statutes is created to read:

14 6.86 (1) (c) If an application is made by mail by a military elector, as defined
15 in s. 6.22 (1) (b), the application shall be received no later than 5 p.m. on the Friday
16 immediately preceding the election.

17 **SECTION 73.** 6.86 (3) (a) 2. of the statutes is amended to read:

18 6.86 (3) (a) 2. If a hospitalized elector is not registered, the elector may register
19 by agent under this subdivision at the same time that the elector applies for an
20 official ballot by agent under subd. 1. To register the elector under this subdivision,
21 the agent shall present a completed registration form that contains the required
22 information supplied by the elector and the elector's signature, unless the elector is
23 unable to sign due to physical disability. In this case, the elector may authorize
24 another elector to sign on his or her behalf. Any elector signing a form on another
25 elector's behalf shall attest to a statement that the application is made on request

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1 and by authorization of the named elector, who is unable to sign the form due to
2 physical disability. The agent shall present this statement along with all other
3 information required under this subdivision. Except as otherwise provided in this
4 subdivision, the agent shall in every case provide acceptable proof of the elector's
5 residence under s. ~~6.55 (7)~~ 6.34. If the agent cannot present this proof, the
6 registration form shall be signed and substantiated by another elector residing in the
7 elector's municipality of residence, corroborating the information in the form. The
8 form shall contain the full name and address of the corroborating elector. The agent
9 shall then present acceptable proof of the corroborating elector's residence under s.
10 ~~6.55 (7)~~ 6.34.

11 SECTION 74. 6.86 (3) (c) of the statutes is amended to read:

12 6.86 (3) (c) An application under par. (a) 1. may be made and a registration form
13 under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier
14 than 7 days before an election and not later than 5 p.m. on the day of the election.
15 A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by
16 the municipal clerk and used to check that the electors vote only once, and by
17 absentee ballot. If identification is required the elector is registering for the election
18 after the close of registration or if the elector registered by mail and has not voted
19 in an election in this state, the municipal clerk shall so inform the agent that proof
20 of residence under s. 6.34 is required and the elector shall enclose identification proof
21 of residence under s. 6.34 in the envelope with the ballot. The ballot shall be sealed
22 by the elector and returned to the municipal clerk either by mail or by personal
23 delivery of the agent; but if the ballot is returned on the day of the election, the agent
24 shall make personal delivery at to the polling place serving the hospitalized elector's
25 residence before the closing hour ~~for the ballot to be counted or, in municipalities~~

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1 where absentee ballots are canvassed under s. 7.52, to the municipal clerk no later
2 than 8 p.m. on election day.

3 **SECTION 75.** 6.865 (1) of the statutes is amended to read:

4 6.865 (1) In this section, “military elector” and “overseas elector” have the
5 meanings given under s. ~~6.36 (2) (e)~~ 6.34 (1).

6 **SECTION 76.** 6.865 (3) of the statutes is amended to read:

7 6.865 (3) If the elector making a timely request for an absentee ballot is ~~a~~
8 ~~military elector or~~ an overseas elector and the elector requests that he or she be sent
9 an absentee ballot for the next 2 general elections, the municipal clerk or board of
10 election commissioners shall comply with the request except that no ballot shall be
11 sent for a succeeding general election if the elector’s name appeared on the
12 registration list for a previous general election and no longer appears on the
13 registration list for the succeeding general election. If the elector’s address for the
14 succeeding general election is in a municipality that is different from the
15 municipality in which the elector resided for the first general election, the clerk or
16 board of election commissioners shall forward the request to the clerk or board of
17 election commissioners of the municipality where the elector resides.

18 **SECTION 77.** 6.865 (3m) of the statutes is created to read:

19 6.865 (3m) If the elector making a timely request for an absentee ballot is a
20 military elector, as defined in s. 6.34 (1), the request shall be treated as provided
21 under s. 6.22 (4).

22 **SECTION 78.** 6.87 (2) (form) of the statutes is amended to read:

23 6.87 (2) (form)

24 [STATE OF

25 County of]

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1 or

2 [(name of foreign country and city or other jurisdictional unit)]

3 I,, certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false
4 statements, that I am a resident of the [.... ward of the] (town) (village) of, or of
5 the aldermanic district in the city of, residing at* in said city, the county
6 of, state of Wisconsin, and am entitled to vote in the (ward) (election district) at
7 the election to be held on; that I am not voting at any other location in this election;
8 that I am unable or unwilling to appear at the polling place in the (ward) (election
9 district) on election day or have changed my residence within the state from one ward
10 or election district to another within 10 days before the election. I certify that I
11 exhibited the enclosed ballot unmarked to the witness, that I then in (his) (her)
12 presence and in the presence of no other person marked the ballot and enclosed and
13 sealed the same in this envelope in such a manner that no one but myself and any
14 person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance,
15 could know how I voted.

16 Signed

17 Identification serial number, if any:

18 The witness shall execute the following:

19 I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis.
20 Stats., for false statements, certify that I am an adult U.S. citizen and that the above
21 statements are true and the voting procedure was executed as there stated. I am not
22 a candidate for any office on the enclosed ballot (except in the case of an incumbent
23 municipal clerk). I did not solicit or advise the elector to vote for or against any
24 candidate or measure.

25(Name)

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SECTION 78

1 (Address)**

2 * — An elector who provides an identification serial number issued under s.
3 6.47 (3), Wis. Stats., need not provide a street address.

4 ** — If this form is executed before 2 special voting deputies under s. 6.875 (6),
5 Wis. Stats., both deputies shall witness and sign.

6 **SECTION 79.** 6.87 (3) (a) and (b) of the statutes are amended to read:

7 6.87 (3) (a) Except as authorized under par. (d) and as otherwise provided in
8 s. 6.875, the municipal clerk shall mail the absentee ballot ~~postage prepaid for return~~
9 to the elector's residence unless otherwise directed by the elector, or shall deliver it
10 to the elector personally at the clerk's office or at an alternate site under s. 6.855.
11 If the ballot is mailed, and the ballot qualifies for mailing free of postage under
12 federal free postage laws, the clerk shall affix the appropriate legend required by
13 U.S. postal regulations. Otherwise, the clerk shall pay the postage required for
14 return when the ballot is mailed from within the United States. If the ballot is not
15 mailed by the absentee elector from within the United States, the absentee elector
16 shall provide return postage. If the ballot is delivered to the elector at the clerk's
17 office, or an alternate site under s. 6.855, the ballot shall be voted at the office or
18 alternate site and may not be removed by the elector therefrom.

19 (b) No elector may direct that a ballot be sent to the address of a candidate,
20 political party or other registrant under s. 11.05 unless the elector permanently or
21 temporarily resides at that address. Upon receipt of reliable information that an
22 address given by an elector is not eligible to receive ballots under this paragraph
23 subsection, the municipal clerk shall refrain from sending mailing or transmitting
24 ballots to that address. Whenever possible, the municipal clerk shall notify an

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1 elector if his or her ballot cannot be mailed or transmitted to the address directed by
2 the elector.

3 **SECTION 80.** 6.87 (3) (c) of the statutes is repealed.

4 **SECTION 81.** 6.87 (3) (d) of the statutes is amended to read:

5 6.87 (3) (d) A municipal clerk ~~of a municipality~~ may, if the clerk is reliably
6 informed by an absent elector of a facsimile transmission number or electronic mail
7 address where the elector can receive an absentee ballot, transmit a facsimile or
8 electronic copy of the absent elector's ballot to that elector in lieu of mailing under
9 this subsection if, in the judgment of the clerk, the time required to send the ballot
10 through the mail may not be sufficient to enable return of the ballot by the time
11 provided under sub. (6). An elector may receive an absentee ballot under this
12 subsection only if the elector has filed a valid application for the ballot under sub. s.
13 6.86 (1). If the clerk transmits an absentee ballot under this paragraph, the clerk
14 shall also transmit a facsimile or electronic copy of the text of the material that
15 appears on the certificate envelope prescribed in sub. (2), together with instructions
16 prescribed by the board. The instructions shall require the absent elector to make
17 and subscribe to the certification as required under sub. (4) and to enclose the
18 absentee ballot in a separate envelope contained within a larger envelope, that shall
19 include the completed certificate. The elector shall then affix sufficient postage
20 unless the absentee ballot qualifies for mailing free of postage under federal free
21 postage laws and shall mail the absentee ballot ~~with postage prepaid~~ to the
22 municipal clerk. Except as authorized in s. 6.97 (2), an absentee ballot received
23 under this paragraph shall not be counted unless it is cast in the manner prescribed
24 in this paragraph and in accordance with the instructions provided by the board.

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1 SECTION 82. 6.87 (4) of the statutes, as affected by 2003 Wisconsin Act 265,
2 section 112a, is amended to read:

3 6.87 (4) Except as otherwise provided in s. 6.875, the elector voting absentee
4 shall make and subscribe to the certification before one witness who is an adult U.S.
5 citizen. The absent elector, in the presence of the witness, shall mark the ballot in
6 a manner that will not disclose how the elector's vote is cast. The elector shall then,
7 still in the presence of the witness, fold the ballots so each is separate and so that the
8 elector conceals the markings thereon and deposit them in the proper envelope. If
9 a consolidated ballot under s. 5.655 is used, the elector shall fold the ballot so that
10 the elector conceals the markings thereon and deposit the ballot in the proper
11 envelope. ~~If the elector has registered by mail and has not, or is not certain whether~~
12 ~~the elector has, previously voted in an election for national office in this state~~ proof
13 of residence is required, the elector shall enclose identification proof of residence
14 under s. 6.34 in the envelope. Identification Proof of residence is required if the
15 elector is not a military elector or an overseas elector, as defined in s. ~~6.36(2)(e)~~ 6.34
16 (1), and the elector registered by mail and has not voted in an election ~~for national~~
17 ~~office~~ in this state. If the elector requested a ballot by means of facsimile
18 transmission or electronic mail under s. 6.86 (1) (ac), the elector shall enclose in the
19 envelope a copy of the request which bears an original signature of the elector. The
20 elector may receive assistance under sub. (5). The return envelope shall then be
21 sealed. The witness may not be a candidate. The envelope shall be mailed by the
22 elector, ~~postage prepaid~~, or delivered in person, to the municipal clerk issuing the
23 ballot or ballots. If the envelope is mailed from a location outside the United States,
24 the elector shall affix sufficient postage unless the ballot qualifies for delivery free
25 of postage under federal law. Failure to return an unused ballot in a primary does

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1 not invalidate the ballot on which the elector's votes are cast. Return of more than
2 one marked ballot in a primary or return of a ballot prepared under s. 5.655 or a ballot
3 used with an electronic voting system in a primary which is marked for candidates
4 of more than one party invalidates all votes cast by the elector for candidates in the
5 primary.

6 **SECTION 83.** 6.87 (6) of the statutes is amended to read:

7 6.87 (6) The Except as provided in s. 6.22 (5m), the ballot shall be returned so
8 it is received by the municipal clerk in time for delivery no later than 8 p.m. on
9 election day. Except in municipalities where absentee ballots are canvassed under
10 s. 7.52, if the municipal clerk receives an absentee ballot on election day, the clerk
11 shall secure the ballot and cause the ballot to be delivered to the polls polling place
12 serving the elector's residence before the closing hour. Any Except as provided in s.
13 6.22 (5m), any ballot not mailed or delivered as provided in this subsection may not
14 be counted.

15 **SECTION 84.** 6.87 (9) of the statutes is amended to read:

16 6.87 (9) If a municipal clerk receives an absentee ballot with an improperly
17 completed certificate or with no certificate, the clerk may return the ballot to the
18 elector, inside the sealed envelope when an envelope is received, together with a new
19 envelope if necessary, whenever time permits the elector to correct the defect and
20 return the ballot within the period ~~prescribed in~~ authorized under sub. (6).

21 **SECTION 85.** 6.875 (4) and (6) of the statutes are amended to read:

22 6.875 (4) For the purpose of absentee voting in nursing homes and qualified
23 retirement homes and qualified community-based residential facilities, the
24 municipal clerk or board of election commissioners of each municipality in which one
25 or more nursing homes or qualified retirement homes or qualified community-based

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1 residential facilities are located shall appoint at least 2 special voting deputies for
2 the municipality. Upon application under s. 6.86 (1) or (2) by one or more qualified
3 electors who are occupants of such a nursing home or qualified retirement home or
4 qualified community-based residential facility, the clerk or board of election
5 commissioners shall dispatch 2 special voting deputies to visit the home or qualified
6 community-based residential facility for the purpose of supervising absentee voting
7 procedure by occupants of the home or qualified community-based residential
8 facility. The clerk shall maintain a list, available to the public upon request, of each
9 nursing home or qualified retirement home or qualified community-based
10 residential facility where an elector has requested an absentee ballot. The list shall
11 include the date and time the deputies intend to visit each home or facility. The 2
12 deputies designated to visit each nursing home or qualified retirement home and
13 qualified community-based residential facility shall be affiliated with different
14 political parties whenever deputies representing different parties are available.
15 Nominations for deputy positions may be submitted by the 2 recognized political
16 parties whose candidates for governor or president received the greatest numbers of
17 votes in the municipality at the most recent general election. The deputies shall be
18 specially appointed to carry out duties under this section for the period specified in
19 s. 7.30 (6) (a). The clerk or board of election commissioners may revoke an
20 appointment at any time. No individual who is employed or retained, or within the
21 2 years preceding appointment has been employed or retained at a nursing home or
22 qualified retirement home or qualified community-based residential facility in the
23 municipality, or any member of the immediate family of such an individual as defined
24 in s. 19.42 (7), may be appointed to serve as a deputy.

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1 (6) Special voting deputies in each municipality shall, not later than 5 p.m. on
2 the Friday preceding an election, arrange one or more convenient times with the
3 administrator of each nursing home, qualified retirement home, and qualified
4 community-based residential facility in the municipality from which one or more
5 occupants have filed an application under s. 6.86 to conduct absentee voting for the
6 election. The time may be no earlier than the 4th Monday preceding the election and
7 no later than 5 p.m. on the Monday preceding the election. Upon request of a relative
8 of an occupant of a nursing home or qualified retirement home or qualified
9 community-based residential facility, the administrator may notify the relative of
10 the time or times at which special voting deputies will conduct absentee voting at the
11 home or facility, and permit the relative to be present in the room where the voting
12 is conducted. The municipal clerk shall post a notice at the home or facility
13 indicating the date and time that absentee voting will take place at that home or
14 facility. The notice shall be posted as soon as practicable after arranging the visit but
15 in no case less than 24 hours before the visit. At the designated time, 2 deputies
16 appointed under sub. (4) shall visit the home or facility. The municipal clerk or
17 executive director of the board of election commissioners shall issue a supply of
18 absentee ballots to the deputies sufficient to provide for the number of valid
19 applications received by the clerk, and a reasonable additional number of ballots.
20 The deputies may exercise the authority granted to the chief inspector under s. 7.41
21 to regulate the conduct of observers for purposes of the application of s. 7.41, the
22 home or facility shall be treated as a polling place. The municipal clerk or executive
23 director shall keep a careful record of all ballots issued to the deputies and shall
24 require the deputies to return every ballot issued to them. The deputies shall
25 personally offer each elector who has filed a proper application the opportunity to

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1 cast his or her absentee ballot. If an elector is present who has not filed a proper
2 application, the 2 deputies may accept an application from the elector and shall issue
3 a ballot to the elector if the elector is qualified and the application is proper. The
4 deputies shall each witness the certification and may, upon request of the elector,
5 assist the elector in marking the elector's ballot. Upon request of the elector, a
6 relative of the elector who is present in the room may assist the elector in marking
7 the elector's ballot. All voting shall be conducted in the presence of the deputies. No
8 individual other than a deputy may witness the certification and no individual other
9 than a deputy or relative of an elector may render voting assistance to the elector.
10 Upon completion of the voting, the deputies shall promptly deliver, either personally
11 or by 1st class mail, any absentee ballot applications and the sealed certificate
12 envelope containing each ballot to the clerk or board of election commissioners of the
13 municipality in which the elector casting the ballot resides, within such time as will
14 permit delivery to the polling place serving the elector's residence on election day.
15 Personal delivery may be made by the deputies no later than noon on election day.
16 If a qualified elector is not able to cast his or her ballot on 2 separate visits by the
17 deputies to the home or facility, they shall so inform the municipal clerk or executive
18 director of the board of election commissioners, who may then send the ballot to the
19 elector no later than 5 p.m. on the Friday preceding the election.

20 **SECTION 86.** 6.875 (7) of the statutes is created to read:

21 6.875 (7) One observer from each of the 2 recognized political parties whose
22 candidate for governor or president received the greatest number of votes in the
23 municipality at the most recent general election may accompany the deputies to each
24 home or facility where absentee voting will take place under this section. The
25 observers may observe the process of absentee ballot distribution in the common

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1 areas of the home or facility. Each party wishing to have an observer present shall
2 submit the name of the observer to the clerk or board of election commissioners no
3 later than the close of business on the last business day prior to the visit.

4 **SECTION 87.** 6.88 (1) to (3) of the statutes are amended to read:

5 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,
6 or at an alternate site under s. 6.855, if applicable, the clerk shall enclose it,
7 unopened, in a carrier envelope which shall be securely sealed and endorsed with the
8 name and official title of the clerk, and the words "This envelope contains the ballot
9 of an absent elector and must be opened in the same room where votes are being cast
10 at the polls during polling hours on election day or, in municipalities where absentee
11 ballots are canvassed under s. 7.52, stats., at a meeting of the municipal board of
12 absentee ballot canvassers under s. 7.52, stats.". If the ballot was received by the
13 elector by facsimile transmission or electronic mail and is accompanied by a separate
14 certificate, the clerk shall enclose the ballot in a certificate envelope and securely
15 append the completed certificate to the outside of the envelope before enclosing the
16 ballot in the carrier envelope. The clerk shall keep the ballot in the clerk's office or
17 at the alternate site, if applicable until delivered, as required in sub. (2).

18 (2) When an absentee ballot is received by the municipal clerk prior to the
19 delivery of the official ballots to the election officials of the ward in which the elector
20 resides or, where absentee ballots are canvassed under s. 7.52, to the municipal board
21 of absentee ballot canvassers, the municipal clerk shall seal the ballot envelope in
22 the carrier envelope as provided under sub. (1), and shall enclose the envelope in a
23 package and deliver the package to the election inspectors of the proper ward or
24 election district or, in municipalities where absentee ballots are canvassed under s.
25 7.52, to the municipal board of absentee ballot canvassers when it convenes under

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1 s. 7.52 (1). When the official ballots for the ward or election district have been
2 delivered to the election ~~officials~~ inspectors before the receipt of an absentee ballot,
3 the clerk shall immediately enclose the envelope containing the absentee ballot in
4 a carrier envelope as provided under sub. (1) and deliver it in person to the proper
5 election officials.

6 (3) (a) Any Except in municipalities where absentee ballots are canvassed
7 under s. 7.52, at any time between the opening and closing of the polls on election day,
8 the inspectors shall, in the same room where votes are being cast, in such a manner
9 that members of the public can hear and see the procedures, open the carrier
10 envelope only, and announce the name of the absent elector or the identification
11 serial number of the absent elector if the elector has a confidential listing under s.
12 6.47 (2). When the inspectors find that the certification has been properly executed,
13 the applicant is a qualified elector of the ward or election district, and the applicant
14 has not voted in the election, they shall enter an indication on the poll list next to the
15 applicant's name indicating an absentee ballot is cast by the elector. They shall then
16 open the envelope containing the ballot in a manner so as not to deface or destroy the
17 certification thereon. The inspectors shall take out the ballot without unfolding it
18 or permitting it to be unfolded or examined. Unless the ballot is cast under s. 6.95,
19 the inspectors shall verify that the ballot has been endorsed by the issuing clerk. If
20 the poll list indicates that ~~identification~~ proof of residence under s. 6.34 is required
21 and no ~~identification~~ proof of residence is enclosed or the name or address on the
22 document that is provided is not the same as the name and address shown on the poll
23 list, the inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall
24 then deposit the ballot into the proper ballot box and enter the absent elector's name

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1 or voting number after his or her name on the poll list in the same manner as if the
2 elector had been present and voted in person.

3 (b) When the inspectors find that a certification is insufficient, that the
4 applicant is not a qualified elector in the ward or election district, that the ballot
5 envelope is open or has been opened and resealed, that the ballot envelope contains
6 more than one ballot of any one kind or, except in municipalities where absentee
7 ballots are canvassed under s. 7.52, that the certificate of an elector who received an
8 absentee ballot by facsimile transmission or electronic mail is missing, or if proof is
9 submitted to the inspectors that an elector voting an absentee ballot has since died,
10 the inspectors shall not count the ballot. The inspectors shall endorse every ballot
11 not counted on the back, “rejected (giving the reason)”. The inspectors shall reinsert
12 each rejected ballot into the certificate envelope in which it was delivered and enclose
13 the certificate envelopes and ballots, and securely seal the ballots and envelopes in
14 an envelope marked for rejected absentee ballots. The inspectors shall endorse the
15 envelope, “rejected ballots” with a statement of the ward or election district and date
16 of the election, signed by the chief inspector and one of the inspectors representing
17 each of the 2 major political parties and returned to the municipal clerk in the same
18 manner as official ballots voted at the election.

19 **SECTION 88.** 6.88 (3) (c) of the statutes is created to read:

20 6.88 (3) (c) The inspectors shall review each certificate envelope to determine
21 whether any absentee ballot is cast by an elector whose name appears on the poll list
22 as ineligible to vote at the election by reason of a felony conviction. If the inspectors
23 receive an absentee ballot that has been cast by an elector whose name appears on
24 the poll list as ineligible for that reason, the inspectors shall challenge the ballot as
25 provided in s. 6.92 and treat the ballot in the manner provided in s. 6.95.

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SECTION 89

1 **SECTION 89.** 6.93 of the statutes is amended to read:

2 **6.93 Challenging the absent elector.** The vote of any absent elector may be
3 challenged for cause and the inspectors of election shall have all the power and
4 authority given them to hear and determine the legality of the ballot the same as if
5 the ballot had been voted in person. In municipalities where absentee ballots are
6 canvassed under s. 7.52, the vote of an absentee elector may be challenged as
7 provided in s. 7.52 (5).

8 **SECTION 90.** 6.935 of the statutes is amended to read:

9 **6.935 Challenge based on incompetency.** Section 6.03 (3) applies to any
10 challenge of a person's right to vote under s. 6.92, 6.925 ~~or~~ 6.93, or 7.52 (5) based on
11 an allegation that an elector is incapable of understanding the objective of the
12 elective process and thereby ineligible to vote.

13 **SECTION 91.** 6.97 (1) of the statutes is amended to read:

14 6.97 (1) Whenever any individual who is required to provide ~~identification~~
15 proof of residence under s. 6.34 in order to be permitted to vote appears to vote at a
16 polling place and cannot provide the required ~~identification~~ proof of residence, the
17 inspectors shall offer the opportunity for the individual to vote under this section.
18 If the individual wishes to vote, the inspectors shall provide the elector with an
19 envelope marked "Ballot under s. 6.97, stats." on which the serial number of the
20 elector is entered and shall require the individual to execute on the envelope a
21 written affirmation stating that the individual is a qualified elector of the ward or
22 election district where he or she offers to vote and is eligible to vote in the election.
23 The inspectors shall, before giving the elector a ballot, write on the back of the ballot
24 the serial number of the individual corresponding to the number kept at the election
25 on the poll list or other list maintained under s. 6.79 and the notation "s. 6.97". If

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1 voting machines are used in the municipality where the individual is voting, the
2 individual's vote may be received only upon an absentee ballot furnished by the
3 municipal clerk which shall have the corresponding number from the poll list or
4 other list maintained under s. 6.79 and the notation "s. 6.97" written on the back of
5 the ballot by the inspectors before the ballot is given to the elector. When receiving
6 the individual's ballot, the inspectors shall provide the individual with written
7 voting information prescribed by the board under s. 7.08 (8). The inspectors shall
8 indicate on the list the fact that the individual is required to provide ~~identification~~
9 proof of residence but did not do so. The inspectors shall notify the individual that
10 he or she may provide ~~identification~~ proof of residence to the municipal clerk or
11 executive director of the municipal board of election commissioners. The inspectors
12 shall also promptly notify the municipal clerk or executive director of the name,
13 address, and serial number of the individual. The inspectors shall then place the
14 ballot inside the envelope and place the envelope in a separate carrier envelope.

15 **SECTION 92.** 6.97 (2) of the statutes is amended to read:

16 6.97 (2) Whenever any individual who votes by absentee ballot is required to
17 provide ~~identification~~ proof of residence in order to be permitted to vote and does not
18 provide the required ~~identification~~ proof of residence under s. 6.34, the inspectors
19 shall write on the back of the absentee ballot the serial number of the individual
20 corresponding to the number kept at the election on the poll list or other list
21 maintained under s. 6.79 and the notation "s. 6.97". The inspectors shall indicate on
22 the list the fact that the individual is required to provide ~~identification~~ proof of
23 residence but did not do so. The inspectors shall promptly notify the municipal clerk
24 or executive director of the municipal board of election commissioners of the name,
25 address, and serial number of the individual. The inspectors shall then place the

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SECTION 92

1 ballot inside an envelope on which the name and serial number of the elector is
2 entered and shall place the envelope in a separate carrier envelope.

3 **SECTION 93.** 7.03 (1) (a) of the statutes is amended to read:

4 7.03 (1) (a) Except as authorized under this paragraph, a reasonable daily
5 compensation shall be paid to each inspector, voting machine custodian, automatic
6 tabulating equipment technician, member of a board of canvassers, messenger, and
7 tabulator who is employed and performing duties under chs. 5 to 12. Daily
8 compensation shall also be provided to ~~officials~~ inspectors and inspector trainees for
9 attendance at training programs conducted by the board and municipal clerks under
10 ~~s. ss. 7.31 and 7.315~~. Alternatively, such election officials and trainees may be paid
11 by the hour at a proportionate rate for each hour actually worked. Any election
12 official or trainee may choose to volunteer his or her services by filing with the
13 municipal clerk of the municipality in which he or she serves a written declination
14 to accept compensation. The volunteer status of the election official or trainee
15 remains effective until the official or trainee files a written revocation with the
16 municipal clerk.

17 **SECTION 94.** 7.08 (1) (c) of the statutes is amended to read:

18 7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1),
19 6.40 (1) (a), 6.47 (1) (a) 2. and (3), 6.55 (2) ~~and (3)~~, and 6.86 (2) and (3). All such forms
20 shall contain a statement of the penalty applicable to false or fraudulent registration
21 or voting through use of the form. Forms are not required to be furnished by the
22 board.

23 **SECTION 95.** 7.08 (8) (title) of the statutes is amended to read:

24 7.08 (8) (title) ELECTORS VOTING WITHOUT IDENTIFICATION PROOF OF RESIDENCE OR
25 PURSUANT TO COURT ORDER.

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1 **SECTION 96.** 7.10 (1) (d) of the statutes is created to read:

2 7.10 (1) (d) The county clerk may receive and store any unused ballots after an
3 election upon request of any municipal clerk of a municipality within the county, and
4 may destroy such ballots pursuant to s. 7.23 (1) (am).

5 **SECTION 97.** 7.10 (9) of the statutes is amended to read:

6 7.10 (9) TRAINING OF ELECTION OFFICIALS. Each county clerk shall assist the
7 board in the training of election officials under ~~ss. s.~~ s. 5.05 (7) and 7.31.

8 **SECTION 98.** 7.15 (1) (e) of the statutes is amended to read:

9 7.15 (1) (e) ~~In coordination with the board, instruct~~ Train election officials in
10 their duties, calling them together whenever advisable, advise them of changes in
11 laws, rules and procedures affecting the performance of their duties, and administer
12 examinations as authorized under s. 7.30 (2) (c). The training shall conform with the
13 requirements prescribed in rules promulgated by the board under ss. 7.31 and 7.315.
14 The clerk shall assure that officials who serve at polling places where an electronic
15 voting system is used are familiar with the system and competent to instruct electors
16 in its proper use. The clerk shall inspect systematically and thoroughly the conduct
17 of elections in the municipality so that elections are honestly, efficiently and
18 uniformly conducted.

19 **SECTION 99.** 7.15 (1m) of the statutes is created to read:

20 7.15 (1m) ATTEND TRAINING. Each municipal clerk shall, at least once every 2
21 years, attend training sponsored by the board under ss. 7.31 and 7.315.

22 **SECTION 100.** 7.15 (2m) of the statutes is created to read:

23 7.15 (2m) OPERATION OF ALTERNATE ABSENTEE BALLOT SITE. In a municipality in
24 which the governing body has elected to establish an alternate absentee ballot site
25 under s. 6.855, the municipal clerk shall operate such site as though it were his or

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1 her office for absentee ballot purposes and shall ensure that such site is adequately
2 staffed.

3 **SECTION 101.** 7.15 (11) of the statutes is amended to read:

4 7.15 (11) TRAINING OF ELECTION OFFICIALS. Each municipal clerk shall assist the
5 ~~board in the training of train~~ election officials under ss. 5.05 (7) and ss. 7.31 and
6 7.315.

7 **SECTION 102.** 7.23 (1) (a) of the statutes is amended to read:

8 7.23 (1) (a) Any Except as provided in par. (am), unused materials after an
9 election and the contents of the blank ballot box after a primary may be destroyed
10 at a time and in a manner designated by the appropriate clerk.

11 **SECTION 103.** 7.23 (1) (am) of the statutes is created to read:

12 7.23 (1) (am) Unused ballots may be discarded or destroyed no earlier than the
13 day after the latest day for the filing of a petition for a recount under s. 9.01 for any
14 office on the ballots.

15 **SECTION 104.** 7.30 (1) of the statutes is renumbered 7.30 (1) (a) and amended
16 to read:

17 7.30 (1) (a) There Except as authorized under par. (b), there shall be 7
18 inspectors for each polling place at each election. ~~In Except as authorized in par. (b),~~
19 in municipalities where voting machines are used, the municipal governing body
20 may reduce the number of inspectors to 5. A municipal governing body may provide
21 for the appointment of additional inspectors whenever more than one voting
22 machine is used or wards are combined under s. 5.15 (6) (b). A municipal governing
23 body may provide by ordinance for the selection of alternate officials or the selection
24 of 2 or more sets of officials to work at different times on election day, and may permit
25 the municipal clerk or board of election commissioners to establish different working

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1 hours for different officials assigned to the same polling place. Alternate officials
2 shall also be appointed in a number sufficient to maintain adequate staffing of
3 polling places. Unless Except for inspectors who are appointed under par. (b) and
4 officials who are are appointed without regard to party affiliation under sub. (4) (c),
5 additional officials shall be appointed in such a manner that the total number of
6 officials is an odd number and the predominant party under sub. (2) is represented
7 by one more official than the other party.

8 **SECTION 105.** 7.30 (1) (b) of the statutes is created to read:

9 7.30 (1) (b) Each municipality may appoint one additional inspector to serve
10 at each polling place without regard to party affiliation who shall serve as a greeter
11 to answer questions and to direct electors to the proper locations for registration and
12 voting and who shall be available to substitute for other election officials who must
13 leave the room during the voting process.

14 **SECTION 106.** 7.30 (2) (a) of the statutes, as affected by 2005 Wisconsin Act 27,
15 is amended to read:

16 7.30 (2) (a) Only election officials appointed under this section or s. 6.875 may
17 conduct an election. Except as otherwise provided in this paragraph and in s. 7.15
18 (1) (k), each election official shall be a qualified elector of the ward or wards, or the
19 election district, for which the polling place is established. A special registration
20 deputy who is appointed under s. 6.55 (6) or an election official who is appointed
21 under this section to fill a vacancy under par. (b) need not be a resident of the ward
22 or wards, or the election district, but shall be a resident of the municipality, except
23 that if a municipal clerk or deputy clerk serves as a registration deputy or is
24 appointed to fill a vacancy under par. (b), the clerk or deputy clerk need not be a
25 resident of the municipality, but shall be a resident of the state. No more than 2

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SECTION 106

1 individuals holding the office of clerk or deputy clerk may serve without regard to
2 municipal residency in any municipality at any election. Special registration
3 deputies who are appointed under s. 6.55 (6) may be appointed to serve more than
4 one polling place. All officials appointed under this section shall be able to read and
5 write the English language, be capable, and be of good understanding, and may not
6 be a candidate for any office to be voted for at an election at which they serve. In 1st
7 class cities, they may hold no public office other than notary public. Except as
8 authorized under ~~sub.~~ subs. (1) (b) and (4) (c), all inspectors shall be affiliated with
9 one of the 2 recognized political parties which received the largest number of votes
10 for president, or governor in nonpresidential general election years, in the ward or
11 combination of wards served by the polling place at the last election. ~~The~~ Excluding
12 the inspector who may be appointed under sub. (1) (b), the party which received the
13 largest number of votes is entitled to one more inspector than the party receiving the
14 next largest number of votes at each polling place. ~~The same election~~ Election
15 officials appointed under this section may serve the electors of more than one ward
16 where wards are combined under s. 5.15 (6) (b). If a municipality is not divided into
17 wards, the ward requirements in this paragraph apply to the municipality at large.

18 **SECTION 107.** 7.30 (2) (am) of the statutes is amended to read:

19 7.30 (2) (am) Except as otherwise provided in this paragraph, a pupil who is
20 16 or 17 years of age, and who is enrolled in grades 9 to 12 in a public or private school,
21 ~~and who has at least a 3.0 grade point average or the equivalent~~ may serve as an
22 inspector at the polling place serving the pupil's residence, with the approval of the
23 pupil's parent or guardian and of the principal of the school in which the pupil is
24 enrolled. A school board or governing body of a private school may establish criteria
25 for participation by a pupil as an inspector. A pupil may serve as an inspector at a

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1 polling place under this paragraph only if at least one election official at the polling
2 place other than the chief inspector is a qualified elector of this state. No pupil may
3 serve as chief inspector at a polling place under this paragraph. Before appointment
4 by any municipality of a pupil as an inspector under this paragraph, the municipal
5 clerk shall obtain written authorization from the pupil's parent or guardian and from
6 the principal of the school where the pupil is enrolled for the pupil to serve for the
7 ~~entire term~~ election for which he or she is appointed. Upon appointment of a pupil
8 to serve as an inspector, the municipal clerk shall notify the principal of the school
9 where the pupil is enrolled of the ~~date of expiration of the pupil's term of office~~ name
10 of the pupil and the date of the election at which the pupil has been appointed to
11 serve.

12 **SECTION 108.** 7.30 (2) (b) of the statutes, as affected by 2005 Wisconsin Act 27,
13 is amended to read:

14 7.30 (2) (b) When a vacancy occurs in an office under this section, the vacancy
15 shall be filled by appointment of the municipal clerk. ~~The~~ Unless the vacancy occurs
16 in the position of an inspector appointed under sub. (1) (b), the vacancy shall be filled
17 from the remaining names on the lists submitted under sub. (4) or from additional
18 names submitted by the chairperson of the county party committee of the
19 appropriate party under sub. (4) whenever names are submitted under sub. (4) (d).
20 If the vacancy is due to candidacy, sickness or any other temporary cause, the
21 appointment shall be a temporary appointment and effective only for the election at
22 which the temporary vacancy occurs. The same qualifications that applied to
23 original appointees shall be required of persons who fill vacancies except that a
24 vacancy may be filled in cases of emergency or because of time limitations by a person
25 who resides in another aldermanic district or ward within the municipality, and if

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1 a municipal clerk or deputy clerk fills the vacancy, the clerk or deputy, but not more
2 than a total of 2 individuals in any municipality, may serve without regard to the
3 clerk's or deputy's municipality of residence, if the clerk or deputy meets the other
4 qualifications.

5 **SECTION 109.** 7.30 (2) (c) of the statutes is amended to read:

6 7.30 (2) (c) The governing body of any municipality may require all persons
7 serving as election officials to prove their ability to read and write English and to
8 have a general knowledge of the election laws. Examinations may be given to prove
9 the qualifications can be met. The municipal clerk shall ensure that all training
10 meets the training requirements prescribed in rules promulgated by the board under
11 ss. 7.31 and 7.315.

12 **SECTION 110.** 7.30 (4) (a) of the statutes is amended to read:

13 7.30 (4) (a) Except in cities where there is a board of election commissioners,
14 the mayor, president or board chairperson of each municipality shall nominate to the
15 governing body no later than their last regular meeting in December of each
16 ~~even-numbered~~ odd-numbered year the necessary election officials for each polling
17 place. If no regular meeting is scheduled, the mayor, president or chairperson shall
18 call a special meeting for the purpose of considering nominations no later than
19 December 31.

20 **SECTION 111.** 7.30 (4) (b) (intro.) of the statutes is amended to read:

21 7.30 (4) (b) (intro.) The 2 dominant parties, under sub. (2), are each responsible
22 for submitting a list of names from which ~~the~~ all appointees to inspector positions,
23 other than appointees to inspector positions authorized under sub. (1) (b), shall be
24 chosen.

25 **SECTION 112.** 7.30 (4) (b) 1. of the statutes is amended to read:

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1 7.30 (4) (b) 1. In cities where there is a board of election commissioners, the
2 aldermanic district committeemen or committeewomen under s. 8.17 of each of the
3 2 dominant recognized political parties shall submit a certified list no later than
4 November 30 of each ~~even-numbered~~ odd-numbered year containing the names of
5 at least as many nominees as there are inspectors from that party for each of the
6 voting wards in the aldermanic district. The chairperson may designate any
7 individual whose name is submitted as a first choice nominee. The board of election
8 commissioners shall appoint, no later than December 31 of ~~even-numbered~~
9 odd-numbered years, at least 5 inspectors for each ward. The board of election
10 commissioners shall appoint all first choice nominees for so long as positions are
11 available, unless nonappointment is authorized under par. (e), and shall appoint
12 other individuals in its discretion. The board of election commissioners may
13 designate such alternates as it deems advisable.

14 **SECTION 113.** 7.30 (4) (c) of the statutes is amended to read:

15 7.30 (4) (c) ~~For~~ Except with respect to inspectors who are appointed under sub.
16 (1) (b), for so long as nominees are made available by the political parties under this
17 section, appointments may be made only from the lists of submitted nominees. If the
18 lists are not submitted by November 30 of the year in which appointments are to be
19 made, the board of election commissioners shall appoint, or the mayor, president or
20 chairperson of a municipality shall nominate qualified persons whose names have
21 not been submitted. If an insufficient number of nominees appears on the lists as
22 of November 30, the board of election commissioners shall similarly appoint, or the
23 mayor, president or chairperson shall similarly nominate sufficient individuals to fill
24 the remaining vacancies. In addition, the mayor, president, or board chairperson of
25 the municipality shall similarly nominate qualified persons to serve in the inspector

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1 positions authorized under sub. (1) (b). Any appointment which is made due to the
2 lack of availability of names submitted under par. (b) may be made without regard
3 to party affiliation.

4 **SECTION 114.** 7.30 (6) (a) of the statutes is amended to read:

5 7.30 (6) (a) ~~The~~ Except as provided in par. (am), the appointed election officials
6 shall hold office for 2 years and until their successors are appointed and qualified.
7 They shall serve at every election held in their ward during their term of office.

8 **SECTION 115.** 7.30 (6) (am) of the statutes is created to read:

9 7.30 (6) (am) A pupil appointed as an inspector under sub. (2) (am) shall serve
10 as an inspector only for the election for which he or she is appointed. Nothing in this
11 paragraph shall be construed to limit the number of times a pupil may be appointed
12 as an inspector.

13 **SECTION 116.** 7.30 (6) (b) of the statutes is amended to read:

14 7.30 (6) (b) Prior to the first election following the appointment of the
15 inspectors, the municipal clerk shall appoint one of the inspectors at each polling
16 place, other than an inspector who is appointed under sub. (1) (b), to serve as chief
17 inspector. No person may serve as chief inspector at any election who is not certified
18 by the board under s. 7.31 at the time of the election. The chief inspector shall hold
19 the position for the remainder of the term unless the inspector is removed by the clerk
20 or the inspector ceases to be certified under s. 7.31, except that whenever wards are
21 combined or separated under s. 5.15 (6) (b), the municipal clerk shall appoint another
22 inspector who is certified under s. 7.31 to serve as chief inspector at each polling place
23 designated under s. 5.15 (6) (b). If a vacancy occurs in the position of chief inspector
24 at any polling place, the municipal clerk shall appoint one of the other inspectors who
25 is certified under s. 7.31 to fill the vacancy.

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1 **SECTION 117.** 7.30 (6) (c) of the statutes is amended to read:

2 7.30 (6) (c) If any election official appointed under this section lacks the
3 qualifications set forth in this section, fails to attend training sessions required
4 under s. 7.15 (1) (e) unless excused therefrom, is guilty of neglecting his or her official
5 duties or commits official misconduct, the municipal clerk or board of election
6 commissioners shall summarily remove the official from office and the vacancy shall
7 be filled under sub. (2) (b).

8 **SECTION 118.** 7.315 of the statutes is created to read:

9 **7.315 Training of other election officials.** (1) (a) The board shall, by rule,
10 prescribe the contents of the training that municipal clerks must provide to
11 inspectors, other than chief inspectors, to special voting deputies appointed under
12 s. 6.875, and to special registration deputies appointed under ss. 6.26 and 6.55 (6).

13 (b) 1. Except as provided in subd. 2., no individual may serve as an inspector,
14 other than a chief inspector, as a special voting deputy under s. 6.875, or as a special
15 registration deputy under s. 6.26 or 6.55 (6) at any election unless the individual has
16 completed training for that election provided by the municipal clerk pursuant to
17 rules promulgated under par. (a).

18 2. Only when an individual who has received training under subd. 1. is
19 unavailable to perform his or her election duties due to sickness, injury, or other
20 unforeseen occurrence may an individual who has not received training under subd.
21 1. be appointed to serve as an inspector, other than chief inspector, or a special voting
22 deputy or special registration deputy. The appointment of an individual to serve
23 under this subdivision shall be for a specific election and no individual may be
24 appointed under this subdivision more than one time in a 2-year period.

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(2) The board shall, by rule, prescribe requirements for, and the content of, training required of municipal clerks under s. 7.15 (1m). The board may provide such training directly or arrange for such training to be provided by other organizations. The rules may not require training more than once every 2 years. The rules shall provide a method for notifying the relevant municipal governing body if a municipal clerk fails to attend required training.

(3) The board may produce and periodically reissue as necessary a video program for the purpose of training election officials, including special voting deputies and special registration deputies. The board shall make any such program available for viewing electronically through an Internet-based system.

SECTION 119. 7.32 of the statutes is amended to read:

7.32 Change of election official numbers. Notwithstanding s. 7.30 (1) (a), the governing body or board of election commissioners of any municipality may by resolution reduce the number of election officials and modify or rescind any similar previous action. No such action may reduce the number of officials at a polling place to less than 3.

SECTION 120. 7.33 (3) of the statutes is amended to read:

7.33 (3) Every employer shall grant to each employee who is appointed to serve as an election official under s. 7.30 a leave of absence for the entire 24-hour period of each election day in which the official serves in his or her official capacity. An employee who serves as an election official shall provide his or her employer with at least 7 days' notice of application for a leave. The municipal clerk shall verify appointments upon request of any employer.

SECTION 121. 7.33 (4) of the statutes is amended to read:

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1 7.33 (4) Except as otherwise provided in this subsection, each local
2 governmental unit, as defined in s. 16.97 (7), may, and each state agency shall, upon
3 proper application under sub. (3), permit each of its employees to serve as an election
4 official under s. 7.30 without loss of fringe benefits or seniority privileges earned for
5 scheduled working hours during the period specified in sub. (3), without loss of pay
6 for scheduled working hours during the period specified in sub. (3) except as provided
7 in sub. (5), and without any other penalty. For employees who are included in a
8 collective bargaining unit for which a representative is recognized or certified under
9 subch. V of ch. 111, this subsection shall apply unless otherwise provided in a
10 collective bargaining agreement.

11 **SECTION 122.** 7.33 (6) of the statutes is amended to read:

12 7.33 (6) Each employer other than a state agency shall, upon proper application
13 under sub. (3), permit each of its employees to serve as an election official under s.
14 7.30 without loss of fringe benefits or seniority privileges earned for scheduled
15 working hours during the period specified in sub. (3), and shall not impose any other
16 penalty upon an employee who serves as an election official, except the employer
17 need not pay wages to an employee for time not worked while the employee is serving
18 as an election official.

19 **SECTION 123.** 7.37 (2) of the statutes is amended to read:

20 7.37 (2) **PRESERVE ORDER.** The inspectors shall possess full authority to
21 maintain order and to enforce obedience to their lawful commands during the
22 election and the canvass of the votes. They shall permit only one person in a voting
23 booth at a time and shall prevent any person from taking notice of how another
24 person has voted, except when assistance is given under s. 6.82. They shall enforce
25 s. 5.35 (5) and prevent electioneering and distribution of election-related material

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SECTION 123

1 from taking place in violation of ~~s. ss. 12.03 and 12.035~~. If any person refuses to obey
2 the lawful commands of an inspector, or is disorderly in the presence or hearing of
3 the inspectors, interrupts or disturbs the proceedings, they may order any law
4 enforcement officer to remove the person from the voting area or to take the person
5 into custody.

6 **SECTION 124.** 7.37 (13) of the statutes is created to read:

7 **7.37 (13) CLOSING OF POLLS.** At the time the polls officially close, an inspector,
8 including an inspector appointed under s. 7.30 (1) (b), shall position himself or herself
9 at the end of the line of individuals waiting to vote, if any. Only individuals in line
10 ahead of the inspector shall be permitted to vote under s. 6.78 (4).

11 **SECTION 125.** 7.41 of the statutes is amended to read:

12 **7.41 Public's right to access.** (1) Any member of the public may be present
13 at any polling place, in the office of any municipal clerk whose office is located in a
14 public building on any day that absentee ballots may be cast in that office, or at an
15 alternate site under s. 6.855 on any day that absentee ballots may be cast at that site
16 for the purpose of observation of an election and the absentee ballot voting process,
17 except a candidate whose name appears on the ballot at the polling place or on an
18 absentee ballot to be cast at the clerk's office or alternate site at that election. The
19 chief inspector or municipal clerk may reasonably limit the number of persons
20 representing the same organization who are permitted to observe an election under
21 this subsection at the same time.

22 (2) The chief inspector or municipal clerk may restrict the location of any
23 individual exercising the right under sub. (1) to certain areas within a polling place,
24 the clerk's office, or alternate site under s. 6.855. The chief inspector or municipal
25 clerk shall clearly designate such an area as an observation area. Designated

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1 observation areas shall be so positioned to permit any authorized individual to
2 readily observe all public aspects of the voting process.

3 (3) The chief inspector or municipal clerk may order the removal of any
4 individual exercising the right under sub. (1) if that individual commits an overt act
5 which:

6 (a) Disrupts the operation of the polling place, clerk's office, or alternate site
7 under s. 6.855; or

8 (b) Violates s. 12.03 (2) or 12.035.

9 (4) No individual exercising the right under sub. (1) may view the confidential
10 portion of a registration list maintained under s. 6.36 (4) or a poll list maintained
11 under s. 6.79 (6). However, the inspectors or municipal clerk shall disclose to such
12 an individual, upon request, the existence of such a list, the number of electors whose
13 names appear on the list, and the number of those electors who have voted at any
14 point in the proceedings. No such individual may view the certificate of an absent
15 elector who obtains a confidential listing under s. 6.47 (2).

16 **SECTION 126.** 7.41 (5) of the statutes is created to read:

17 7.41 (5) The board shall promulgate rules regarding the proper conduct of
18 individuals exercising the right under sub. (1), including the interaction of those
19 individuals with inspectors and other election officials.

20 **SECTION 127.** 7.51 (1) of the statutes is amended to read:

21 7.51 (1) CANVASS PROCEDURE. Immediately after the polls close the inspectors
22 except any inspector appointed under s. 7.30 (1) (b) shall proceed to canvass publicly
23 all votes received at the polling place. In any municipality where an electronic voting
24 system is used, the municipal governing body or board of election commissioners may
25 provide or authorize the municipal clerk or executive director of the board of election

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1 commissioners to provide for the adjournment of the canvass to one or more central
2 counting locations for specified polling places in the manner prescribed in subch. III
3 of ch. 5. No central counting location may be used to count votes at a polling place
4 where an electronic voting system is not employed. The canvass, whether conducted
5 at the polling place or at a central counting location, shall continue without
6 adjournment until the canvass is completed and the return statements are
7 statement is made or, in municipalities where absentee ballots are canvassed under
8 s. 7.52, until the canvass of all ballots cast is completed and the return statement for
9 those ballots are made. The inspectors shall not permit access to the name of any
10 elector who has obtained a confidential listing under s. 6.47 (2) during the canvass,
11 except as authorized in s. 6.47 (8).

12 **SECTION 128.** 7.51 (2) (c) of the statutes is amended to read:

13 7.51 (2) (c) Whenever the number of ballots exceeds the number of voting
14 electors as indicated on the poll list, the inspectors shall place all ballots face up to
15 check for blank ballots. In this paragraph, "blank ballot" means a ballot on which
16 no votes are cast for any office or question. The inspectors shall mark, lay aside and
17 preserve any blank ballots. If Except in municipalities where absentee ballots are
18 canvassed under s. 7.52, if the number of ballots still exceeds the number of voting
19 electors, the inspectors shall place all ballots face down and proceed to check for the
20 initials. The inspectors shall mark, lay aside and preserve any ballot not bearing the
21 initials of 2 inspectors or any absentee ballot not bearing the initials of the municipal
22 clerk. During the count the inspectors shall count those ballots cast by challenged
23 electors the same as the other ballots.

24 **SECTION 129.** 7.51 (2) (e) of the statutes is amended to read:

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1 7.51 (2) (e) If, Except in municipalities where absentee ballots are canvassed
2 under s. 7.52, if after any ballots have been laid aside, the number of ballots still
3 exceeds the total number of electors recorded on the poll list, the inspectors shall
4 separate the absentee ballots from the other ballots. If there is an excess number of
5 absentee ballots, the inspectors shall place the absentee ballots in the ballot box and
6 one of the inspectors shall publicly and without examination draw therefrom by
7 chance the number of ballots equal to the excess number of absentee ballots. If there
8 is an excess number of ~~other~~ nonabsentee ballots, the inspectors shall place those
9 ballots in the ballot box and one of the inspectors shall publicly and without
10 examination draw therefrom by chance the number of ballots equal to the excess
11 number of those ballots. All ballots so removed may not be counted but shall be
12 specially marked as having been removed by the inspectors on original canvass due
13 to an excess number of ballots, set aside and preserved. When the number of ballots
14 and total shown on the poll list agree, the inspectors shall return all ballots to be
15 counted to the ballot box and shall turn the ballot box in such manner as to
16 thoroughly mix the ballots. The inspectors shall then open, count and record the
17 number of votes. When the ballots are counted, the inspectors shall separate them
18 into piles for ballots similarly voted. Objections may be made to placement of ballots
19 in the piles at the time the separation is made.

20 **SECTION 130.** 7.51 (3) (d) of the statutes is amended to read:

21 7.51 (3) (d) ~~All~~ Except in municipalities where absentee ballots are canvassed
22 under s. 7.52, all absentee certificate envelopes which have been opened shall be
23 returned by the inspectors to the municipal clerk in a securely sealed carrier
24 envelope which is clearly marked "used absentee certificate envelopes". The
25 envelopes shall be signed by the chief inspector and 2 other inspectors. Except when

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1 the ballots are used in a municipal or school district election only, the municipal clerk
2 shall transmit the used envelopes to the county clerk.

3 **SECTION 131.** 7.51 (4) (a) of the statutes is amended to read:

4 7.51 (4) (a) The tally sheets shall state the total number of votes cast for each
5 office and for each individual receiving votes for that office, whether or not the
6 individual's name appears on the ballot, and shall state the vote for and against each
7 proposition voted on. Upon completion of the tally sheets, the inspectors shall
8 immediately complete the inspectors' statements in duplicate statement. The
9 inspectors shall state the excess, if any, by which the number of ballots exceeds the
10 number of electors voting as shown by the poll list and shall state the number of the
11 last elector as shown by the poll lists. At least 3 inspectors, including the chief
12 inspector and, unless election officials are appointed under s. 7.30 (4) (c) without
13 regard to party affiliation, at least one inspector representing each political party,
14 but not including any inspector appointed under s. 7.30 (1) (b), shall then certify to
15 the correctness of the ~~statements~~ statement and tally sheets and sign their names.
16 All other election officials assisting with the tally shall also certify to the correctness
17 of the tally sheets. When the tally is complete, the inspectors shall publicly announce
18 the results from the ~~statements~~ statement.

19 **SECTION 132.** 7.51 (5) (a) of the statutes is amended to read:

20 7.51 (5) (a) 1. The inspectors shall make full and accurate return of the votes
21 cast for each candidate and proposition on tally sheet forms provided by the
22 municipal clerk for that purpose. Each tally sheet shall record the returns for each
23 office or referendum by ward, unless combined returns are authorized in accordance
24 with s. 5.15 (6) (b) in which case the tally sheet shall record the returns for each group
25 of combined wards.

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1 2. After recording the votes, the inspectors shall seal in a carrier envelope
2 outside the ballot bag or container ~~one inspectors' statement under sub. (4) (a), one~~
3 tally sheet, and one poll list for delivery to the county clerk, unless the election relates
4 only to municipal or school district offices or referenda.

5 3. The inspectors shall also ~~similarly seal one~~ the inspectors' statement, inside
6 a separate carrier envelope, and shall similarly seal in a separate carrier envelope
7 one tally sheet, and one poll list for delivery to the municipal clerk. For school district
8 elections, except in 1st class cities, the inspectors shall ~~similarly seal one inspectors'~~
9 ~~statement,~~ one tally sheet, and one poll list for delivery to the school district clerk.

10 4. The inspectors shall immediately deliver all ballots, statements, tally sheets,
11 lists, and envelopes to the municipal clerk.

12 **SECTION 133.** 7.51 (5) (a) 5. of the statutes is created to read:

13 7.51 (5) (a) 5. Upon receipt of the materials under subd. 4., the municipal clerk
14 shall make sufficient copies of the inspectors' statement under sub. (4) (a) and seal
15 one copy of the statement inside a carrier envelope together with the envelope
16 containing any materials required to be delivered to the county clerk or the school
17 district clerk. The municipal clerk shall retain the original inspectors' statement.

18 **SECTION 134.** 7.51 (5) (b) of the statutes is amended to read:

19 7.51 (5) (b) The municipal clerk shall ~~arrange for delivery of~~ deliver all ballots,
20 statements, tally sheets, lists, and envelopes relating to a school district election to
21 the school district clerk by 4 p.m. on the day following each such election. The
22 municipal clerk shall deliver the ballots, statements, tally sheets, lists, and
23 envelopes for his or her municipality relating to any county, technical college district,
24 state, or national election to the county clerk by 2 4 p.m. on the day following each
25 such election or, in municipalities where absentee ballots are canvassed under s.

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1 7.52, by 4. p.m. on the 2nd day following each such election. The person delivering
2 the returns shall be paid out of the municipal treasury. Each clerk shall retain
3 ballots, statements, tally sheets, or envelopes received by the clerk until destruction
4 is authorized under s. 7.23 (1).

5 **SECTION 135.** 7.52 of the statutes is created to read:

6 **7.52 Canvassing of absentee ballots.** (1) The governing body of any
7 municipality may provide by ordinance that, in lieu of canvassing absentee ballots
8 at polling places under s. 6.88, the municipal board of absentee ballot canvassers
9 designated under s. 7.53 (2m) shall canvass all absentee ballots at all elections held
10 in the municipality. Thereafter, at every election, the board of absentee ballot
11 canvassers shall, any time after the opening of the polls and before 10 p.m. on election
12 day, publicly convene to count the absentee ballots for the municipality. The
13 municipal clerk shall give at least 48 hours' notice of any meeting under this
14 subsection. Any member of the public has the same right of access to a meeting of
15 the municipal absentee ballot board of canvassers under this subsection that the
16 individual would have under s. 7.41 to observe the proceedings at a polling place. The
17 board of absentee ballot canvassers may order the removal of any individual
18 exercising the right to observe the proceedings if the individual disrupts the meeting.

19 (2) In counting the absentee ballots, the board of absentee ballot canvassers
20 shall use 2 duplicate copies of a single poll list for the entire municipality prepared
21 in accordance with s. 6.36 (2). Upon accepting each absentee ballot, the board of
22 absentee ballot canvassers shall enter a poll list number on the poll list next to the
23 name of the elector who voted the ballot, beginning with the number one. If the
24 elector's name does not appear on the poll list, the board of absentee ballot

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1 canvassers shall enter the number on a separate list maintained under this
2 subsection.

3 (3) (a) The board of absentee ballot canvassers shall first open the carrier
4 envelope only, and, in such a manner that a member of the public, if he or she desired,
5 could hear, announce the name of the absent elector or the identification serial
6 number of the absent elector if the elector has a confidential listing under s. 6.47 (2).
7 When the board of absentee ballot canvassers finds that the certification has been
8 properly executed, the applicant is a qualified elector of the ward or election district,
9 and the applicant has not voted in the election, the board of absentee ballot
10 canvassers shall enter an indication on the poll list next to the applicant's name
11 indicating an absentee ballot is cast by the elector. The board of absentee ballot
12 canvassers shall then open the envelope containing the ballot in a manner so as not
13 to deface or destroy the certification thereon. The board of absentee ballot
14 canvassers shall take out the ballot without unfolding it or permitting it to be
15 unfolded or examined. Unless the ballot is cast under s. 6.95, the board of absentee
16 ballot canvassers shall verify that the ballot has been endorsed by the issuing clerk.
17 The board of absentee ballot canvassers shall mark the poll list number of each
18 elector who casts an absentee ballot on the back of the elector's ballot. The board of
19 absentee ballot canvassers shall then deposit the ballot into the proper ballot box and
20 enter the absent elector's name or poll list number after his or her name on the poll
21 list.

22 (b) When the board of absentee ballot canvassers finds that a certification is
23 insufficient, that the applicant is not a qualified elector in the ward or election
24 district, that the ballot envelope is open or has been opened and resealed, that the
25 ballot envelope contains more than one ballot of any one kind, or that the certificate

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1 of an elector who received an absentee ballot by facsimile transmission or electronic
2 mail is missing, or if proof is submitted to the board of absentee ballot canvassers that
3 an elector voting an absentee ballot has since died, the board of absentee ballot
4 canvassers shall not count the ballot. Each member of the board of absentee ballot
5 canvassers shall endorse every ballot not counted on the back as “rejected (giving the
6 reason).” The board of absentee ballot canvassers shall reinsert each rejected ballot
7 into the certificate envelope in which it was delivered and enclose the certificate
8 envelopes and ballots, and securely seal the ballots and envelopes in an envelope
9 marked for rejected absentee ballots. The board of absentee ballot canvassers shall
10 endorse the envelope as “rejected ballots,” with a statement of the ward or election
11 district and date of the election, and each member of the board of absentee ballot
12 canvassers shall sign the statement. The board of absentee ballot canvassers shall
13 then return the envelope containing the ballots to the municipal clerk.

14 (4) (a) The board of absentee ballot canvassers shall then open the ballot box
15 and remove and count the number of ballots therein without examination except as
16 is necessary to ascertain that each is a single ballot. If 2 or more ballots are folded
17 together so as to appear as a single ballot, the board of absentee ballot canvassers
18 shall lay them aside until the count is completed; and if, after a comparison of the
19 count and the appearance of the ballots it appears to the board of absentee ballot
20 canvassers that the ballots folded together were voted by the same person they shall
21 not be counted but the board of absentee ballot canvassers shall mark them as to the
22 reason for removal, set them aside, and carefully preserve them. The board of
23 absentee ballot canvassers shall then proceed under par. (b).

24 (b) When during the counting of the ballots cast at an election the board of
25 absentee ballot canvassers finds that a ballot is so defective that it cannot determine

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1 with reasonable certainty for whom it was cast, the board of absentee ballot
2 canvassers shall so mark the ballot and preserve it. The board of absentee ballot
3 canvassers shall not count the vote cast on the ballot for any office for which it
4 determines the ballot to be defective.

5 (c) Whenever the number of ballots exceeds the number of voting electors as
6 indicated on the poll list, the board of absentee ballot canvassers shall place all
7 ballots face up to check for blank ballots. In this paragraph, "blank ballot" means
8 a ballot on which no votes are cast for any office or question. The board of absentee
9 ballot canvassers shall mark, lay aside, and preserve any blank ballots. If the
10 number of ballots still exceeds the number of voting electors, the board of absentee
11 ballot canvassers shall place all ballots face down and proceed to check for the
12 initials. The board of absentee ballot canvassers shall mark, lay aside, and preserve
13 any ballot not bearing the initials of the municipal clerk. During the count, the board
14 of absentee ballot canvassers shall count those ballots cast by challenged electors the
15 same as the other ballots.

16 (d) The board of absentee ballot canvassers shall keep a written statement, in
17 duplicate, of the number of ballots set aside and the number of defective ballots and
18 challenged ballots. The statement shall contain a record of the reasons for setting
19 aside each ballot and the reasons why each defective or challenged ballot is defective
20 or challenged. The board of absentee ballot canvassers shall certify that the
21 statement is correct, sign it, and attach it to the tally sheets.

22 (e) If, after any ballots have been set aside, the number of ballots still exceeds
23 the total number of electors recorded on the poll list, the board of absentee ballot
24 canvassers shall place the absentee ballots in the ballot box and one of the members
25 shall publicly and without examination draw therefrom by chance the number of

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1 ballots equal to the excess number of ballots. All ballots so removed shall not be
2 counted but shall be specially marked as having been removed by the board of
3 absentee ballot canvassers on original canvass due to an excess number of ballots,
4 set aside, and preserved. When the number of ballots and total shown on the poll list
5 agree, the board of absentee ballot canvassers shall return all ballots to be counted
6 to the ballot box and shall turn the ballot box in such manner as to thoroughly mix
7 the ballots. The board of absentee ballot canvassers shall then open, count, and
8 record the number of votes. When the ballots are counted, the board of absentee
9 ballot canvassers shall separate them into piles for ballots similarly voted.
10 Objections may be made to placement of ballots in the piles at the time the separation
11 is made.

12 (f) If corrected ballots under s. 5.06 (6) or 5.72 (3) are distributed under s. 7.10
13 (3), only the votes cast on the corrected ballots may be counted for any office or
14 referendum in which the original ballots differ from the corrected ballots.

15 (g) The board of absentee ballot canvassers shall place together all ballots
16 counted by it that relate to any national, state, or county office or any state, county,
17 or technical college district referendum and secure them together so they cannot be
18 untied or tampered with without breaking the seal. The secured ballots, together
19 with any ballots marked "Defective," shall then be secured by the board of absentee
20 ballot canvassers in the ballot container in such a manner that the container cannot
21 be opened without breaking the seals or locks, or destroying the container. The board
22 of absentee ballot canvassers shall place the ballots cast under s. 6.97 in a separate,
23 securely sealed carrier envelope which is clearly marked "Section 6.97 ballots." Each
24 member of the board of absentee ballot canvassers shall sign the carrier envelope.
25 The carrier envelope shall not be placed in the ballot container. The board of

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1 absentee ballot canvassers shall then deliver the ballots to the municipal clerk in the
2 ballot container and carrier envelope.

3 (h) For ballots that relate only to municipal or school district offices or
4 referenda, the board of absentee ballot canvassers, in lieu of par. (a), after counting
5 the ballots shall return them to the proper ballot boxes, lock the boxes, paste paper
6 over the slots, sign their names to the paper, and deliver them and the keys therefor
7 to the municipal or school district clerk. The clerk shall retain the ballots until
8 destruction is authorized under s. 7.23.

9 (i) All absentee certificate envelopes that have been opened shall be returned
10 by the board of absentee ballot canvassers to the municipal clerk in a securely sealed
11 carrier envelope that is clearly marked "used absentee certificate envelopes." The
12 envelopes shall be signed by each member of the board of absentee ballot canvassers.
13 Except when the ballots are used in a municipal or school district election only, the
14 municipal clerk shall transmit the used envelopes to the county clerk.

15 (5) The vote of any absent elector may be challenged for cause and the board
16 of absentee ballot canvassers shall have all the power and authority given the
17 inspectors to hear and determine the legality of the ballot the same as if the ballot
18 had been voted in person.

19 (6) (a) The board of absentee ballot canvassers shall review each certificate
20 envelope to determine whether any absentee ballot is cast by an elector whose name
21 appears on the poll list as ineligible to vote at the election, including ineligibility to
22 vote by reason of a felony conviction. If the board of absentee ballot canvassers
23 receives an absentee ballot that has been cast by an elector whose name appears on
24 the poll list as ineligible to vote, the inspectors shall challenge the ballot in the same
25 manner as provided for inspectors making challenges under s. 6.92 and shall treat

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1 the ballot in the manner as provided for treatment of challenged ballots by inspectors
2 under s. 6.95.

3 (b) Any elector may challenge for cause any absentee ballot. For the purpose
4 of deciding upon ballots that are challenged for any reason, the board of absentee
5 ballot canvassers may call before it any person whose absentee ballot is challenged
6 if the person is available to be called. If the person challenged refuses to answer fully
7 any relevant questions put to him or her by the board of absentee ballot canvassers
8 under s. 6.92, the board of absentee ballot canvassers shall reject the person's vote.
9 If the challenge is not withdrawn after the person offering to vote has answered the
10 questions, one of the members of the board of absentee ballot canvassers shall
11 administer to the person the following oath or affirmation: "You do solemnly swear
12 (or affirm) that: you are 18 years of age; you are a citizen of the United States; you
13 are now and for 10 days have been a resident of this ward except under s. 6.02 (2),
14 stats.; you have not voted at this election; you have not made any bet or wager or
15 become directly or indirectly interested in any bet or wager depending upon the
16 result of this election; you are not on any other ground disqualified to vote at this
17 election." If the person challenged refuses to take the oath or affirmation, the
18 person's vote shall be rejected. If the person challenged answers fully all relevant
19 questions put to the elector by the board of absentee ballot canvassers under s. 6.92,
20 takes the oath or affirmation, and fulfills the applicable registration requirements,
21 and if the answers to the questions given by the person indicate that the person meets
22 the voting qualification requirements, the person's vote shall be received.

23 (7) The board of absentee ballot canvassers shall maintain tally sheets on
24 forms provided by the municipal clerk, which shall state the total number of votes
25 cast for each office and for each individual receiving votes for that office, whether or

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1 not the individual's name appears on the ballot, and shall state the vote for and
2 against each proposition voted on. Upon completion of the canvass of the absentee
3 ballots, the board of absentee ballot canvassers shall immediately complete
4 statements in duplicate. The statements shall state the excess, if any, by which the
5 number of ballots exceeds the number of electors voting as shown by the poll list used
6 by the board of absentee ballot canvassers under this section and shall state the poll
7 list number of the last elector as shown by the poll list. Each member of the board
8 of absentee ballot canvassers shall then certify to the correctness of the statements
9 and tally sheets and sign their names. All other election officials assisting with the
10 tally shall also certify to the correctness of the tally sheets. When the tally is
11 complete, the board of absentee ballot canvassers shall publicly announce the results
12 from the statements, and the records of the count are open to public inspection and
13 copying under s. 19.35 (1).

14 (8) The board of absentee ballot canvassers shall make full and accurate return
15 of the votes cast for each candidate and proposition on the tally sheet forms. Each
16 tally sheet shall record the returns for each office or referendum by ward, unless
17 combined returns are authorized in accordance with s. 5.15 (6) (b), in which case the
18 tally sheet shall record the returns for each group of combined wards. After
19 recording the votes, the board of absentee ballot canvassers shall seal in a carrier
20 envelope outside the ballot bag or container one inspector's statement under sub. (4)
21 (d), one tally sheet, and one poll list for delivery to the county clerk, unless the
22 election relates only to municipal or school district offices or referenda. The board
23 of absentee ballot canvassers shall also similarly seal one statement, one tally sheet,
24 and one poll list for delivery to the municipal clerk.

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1 (9) The governing body of any municipality that has provided by ordinance
2 enacted under sub. (1) for the canvassing of absentee ballots at all elections held in
3 the municipality under this section may by similar action rescind that decision.
4 Thereafter, the absentee ballots at all elections held in the municipality shall be
5 canvassed as provided in s. 6.88.

6 **SECTION 136.** 7.53 (1) of the statutes is amended to read:

7 7.53 (1) MUNICIPALITIES WITH ONE POLLING PLACE. Where the municipality
8 constitutes one ward or combines all wards to utilize a single polling place under s.
9 5.15 (6) (b), the canvass of the votes cast at the polling place shall be conducted
10 publicly under s. 7.51 and the inspectors, other than any inspector appointed under
11 s. 7.30 (1) (b), shall act as the municipal board of canvassers. In municipalities where
12 absentee ballots are canvassed under s. 7.52, after the canvass of the absentee ballots
13 is completed under s. 7.52, the board of absentee ballot canvassers shall reconcile the
14 poll list of the electors who vote by absentee ballot with the corresponding poll list
15 of the electors who vote in person to ensure that no elector is allowed to cast more
16 than one ballot. If an elector who votes in person has submitted an absentee ballot,
17 the absentee ballot is void. Upon completion of the canvass under this subsection and
18 any canvass that is conducted under s. 7.52 and ascertainment of the results by the
19 inspectors or, in municipalities where absentee ballots are canvassed under s. 7.52,
20 by the inspectors and the board of absentee ballot canvassers, the municipal clerk
21 shall publicly read to the inspectors or the board of absentee ballot canvassers the
22 names of the persons voted for and the number of votes for each person for each
23 municipal office, the names of the persons declared by the inspectors or board of
24 absentee ballot canvassers to have won nomination or election to each municipal

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1 office, and the number of votes cast for and against each municipal referendum
2 question.

3 **SECTION 137.** 7.53 (2) (a) of the statutes is amended to read:

4 7.53 (2) (a) 1. Except as provided in par. (c), the municipal board of canvassers
5 for municipal elections in each municipality utilizing more than one polling place
6 shall be composed of the municipal clerk and 2 other qualified electors of the
7 municipality appointed by the clerk. The members of the board of canvassers shall
8 serve for 2-year terms commencing on January 1 of each odd-numbered year, except
9 that any member who is appointed to fill a permanent vacancy shall serve for the
10 unexpired term of the original appointee.

11 2. If the municipal clerk's office is vacant, or if the clerk cannot perform his or
12 her duties ~~or if the clerk is a candidate at an election being canvassed~~, the mayor,
13 president or board chairperson of the municipality shall designate another qualified
14 elector of the municipality to serve in lieu of the clerk for that election.

15 4. If any other member of the board of canvassers is a candidate at the election
16 being canvassed, the clerk shall appoint another qualified elector of the municipality
17 to temporarily fill the vacancy.

18 **SECTION 138.** 7.53 (2) (a) 3. of the statutes is created to read:

19 7.53 (2) (a) 3. If the clerk is a candidate at an election being canvassed, the clerk
20 may perform his or her duties on the board of canvassers only if the clerk does not
21 have an opponent whose name appears on the ballot, or in the case of a recount, if
22 the office the clerk is seeking is not a subject of the recount. If the clerk is a candidate
23 at the election being canvassed and has an opponent whose name appears on the
24 ballot or if the office the clerk is seeking is a subject of a recount, the mayor, president

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1 of board chairperson of the municipality shall designate another qualified elector of
2 the municipality to serve in lieu of the elector for that election.

3 **SECTION 139.** 7.53 (2) (d) of the statutes is amended to read:

4 7.53 (2) (d) The municipal board of canvassers shall publicly canvass the
5 returns of every ~~municipal~~ election. The canvass shall begin within 24 hours after
6 the polls close. After any canvass of the absentee ballots is completed under s. 7.52,
7 the board of canvassers shall reconcile the poll list of the electors who vote by
8 absentee ballot with the corresponding poll list of the electors who vote in person to
9 ensure that no elector is allowed to cast more than one ballot. If an elector who votes
10 in person has submitted an absentee ballot, the absentee ballot is void. At the spring
11 election, the board of canvassers shall publicly declare the results on or before the
12 2nd Tuesday in April. The board of canvassers shall prepare a statement showing
13 the results of each election for any municipal office and each municipal referendum.
14 After each primary for municipal offices, the board of canvassers shall prepare a
15 statement certifying the names of those persons who have won nomination to office.
16 After each other election for a municipal office and each municipal referendum, the
17 board of canvassers shall prepare a determination showing the names of the persons
18 who are elected to each municipal office and the results of each municipal
19 referendum. The board of canvassers shall file each statement and determination
20 in the office of the municipal clerk or board of election commissioners.

21 **SECTION 140.** 7.53 (2m) of the statutes is created to read:

22 7.53 (2m) BOARD OF ABSENTEE BALLOT CANVASSERS. (a) If a municipality elects
23 to count absentee ballots in the manner provided for in s. 7.52, the municipality shall
24 establish a board of absentee ballot canvassers as provided in par. (b).

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(b) Except as provided in par. (c), the municipal board of absentee ballot canvassers shall be composed of the municipal clerk, or a qualified elector of the municipality designated by the clerk, and 2 other qualified electors of the municipality appointed by the clerk. The members of the absentee ballot board of canvassers shall serve for 2-year terms commencing on January 1 of each odd-numbered year, except that any member who is appointed to fill a permanent vacancy shall serve for the unexpired term of the original appointee. If the municipal clerk's office is vacant or if the clerk and the clerk's designee cannot perform his or her duties, the mayor, president, or board chairperson of the municipality shall designate another qualified elector of the municipality to serve in lieu of the clerk for that election. If the clerk is a candidate at an election being canvassed, the clerk or the clerk's designee may perform the clerk's duties on the board of absentee ballot canvassers only if the clerk does not have an opponent whose name appears on the ballot. If the clerk is a candidate at the election being canvassed by the board of absentee ballot canvassers and has an opponent whose name appears on the ballot, the mayor, president, or board chairperson of the municipality shall designate another qualified elector of the municipality to serve in lieu of the clerk and his or her designee for that election. If any other member of the board of absentee ballot canvassers is a candidate at the election being canvassed, the clerk shall appoint another qualified elector of the municipality to temporarily fill the vacancy.

(c) Nothing in this subsection precludes a municipal clerk from appointing individuals to the board of absentee ballot canvassers who are simultaneously serving on any other board of canvassers.

SECTION 141. 7.60 (2) of the statutes is amended to read:

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1 7.60 (2) COUNTY BOARD OF CANVASSERS. The county clerk and 2 qualified electors
2 of the county appointed by the clerk constitute the county board of canvassers. The
3 members of the board of canvassers shall serve for 2-year terms commencing on
4 January 1 of each odd-numbered year, except that any member who is appointed to
5 fill a permanent vacancy shall serve for the unexpired term of the original appointee.
6 One member of the board of canvassers shall belong to a political party other than
7 the clerk's. The county clerk shall designate a deputy clerk who shall perform the
8 clerk's duties as a member of the board of canvassers in the event that the county
9 clerk's office is vacant, or the clerk cannot perform his or her duties, or the clerk is
10 a candidate at an election being canvassed. If the county clerk and designated
11 deputy clerk are both unable to perform their duties, the county executive or, if there
12 is no county executive, the chairperson of the county board of supervisors shall
13 designate another qualified elector of the county to perform the clerk's duties. If a
14 member other than the clerk cannot perform his or her duties, the clerk shall appoint
15 another member to serve. No Except as otherwise provided in this subsection, no
16 person may serve on the county board of canvassers if the person is a candidate for
17 an office to be canvassed by that board. If the clerk is a candidate at an election being
18 canvassed, the clerk may perform his or her duties on the board only if the clerk has
19 no opponent whose name appears on the ballot, or, in the case of a recount, if the office
20 the clerk is seeking is not a subject of the recount. If lists of candidates for the county
21 board of canvassers are submitted to the county clerk by political party county
22 committees, the lists shall consist of at least 3 names and the clerk shall choose the
23 board members from the lists. Where there is a county board of election
24 commissioners, it shall serve as the board of canvassers. If the county board of
25 election commissioners serves as the board of canvassers, the executive director of

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1 the county board of election commissioners shall serve as a member of the board of
2 canvassers to fill a temporary vacancy on that board.

3 **SECTION 142.** 8.10 (3) (intro.) of the statutes is amended to read:

4 8.10 (3) (intro.) The certification of a qualified elector circulator under s. 8.15
5 (4) (a) shall be appended to each nomination paper. The number of required
6 signatures on nomination papers filed under this section is as follows:

7 **SECTION 143.** 8.15 (4) (a) of the statutes is amended to read:

8 8.15 (4) (a) The certification of a qualified elector circulator stating his or her
9 residence with street and number, if any, shall appear at the bottom of each
10 nomination paper, stating he or she personally circulated the nomination paper and
11 personally obtained each of the signatures; he or she knows they are electors of the
12 ward, aldermanic district, municipality or county, as the nomination papers require;
13 he or she knows they signed the paper with full knowledge of its content; he or she
14 knows their respective residences given; he or she knows each signer signed on the
15 date stated opposite his or her name; and, that he or she, the circulator, resides
16 within the district which the candidate named therein will represent, if elected is a
17 qualified elector of this state, or if not a qualified elector of this state, is a U.S. citizen
18 age 18 or older who, if he or she were a resident of this state, would not be disqualified
19 from voting under s. 6.03, Wis. stats.; that he or she intends to support the candidate;
20 and that he or she is aware that falsifying the certification is punishable under s.
21 12.13 (3) (a), Wis. stats. The circulator shall indicate the date that he or she makes
22 the certification next to his or her signature. The certification may be made by the
23 candidate or any qualified elector circulator.

24 **SECTION 144.** 8.20 (3) of the statutes is amended to read:

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1 8.20 (3) The certification of ~~an elector~~ a qualified circulator under s. 8.15 (4)
2 (a) shall be appended to each nomination paper.

3 **SECTION 145.** 8.37 of the statutes is amended to read:

4 **8.37 Filing of referenda petitions or questions.** Unless otherwise required
5 by law, all proposed constitutional amendments and any other measure or question
6 that is to be submitted to a vote of the people, or any petitions requesting that a
7 measure or question be submitted to a vote of the people, if applicable, shall be filed
8 with the official or agency responsible for preparing the ballots for the election no
9 later than 42 days prior to the election at which the amendment, measure or question
10 will appear on the ballot. The school district clerk shall file a copy of any such
11 measure or question that is placed on the ballot by a school district with the clerk of
12 each county having territory within the school district no later than 42 days prior to
13 the election at which such measure or question will appear on the ballot.

14 **SECTION 146.** 8.40 (2) of the statutes is amended to read:

15 8.40 (2) The certification of a qualified ~~elector~~ circulator stating his or her
16 residence with street and number, if any, shall appear at the bottom of each separate
17 sheet of each petition specified in sub. (1), stating that he or she personally circulated
18 the petition and personally obtained each of the signatures; that the circulator knows
19 that they are electors of the jurisdiction or district in which the petition is circulated;
20 that the circulator knows that they signed the paper with full knowledge of its
21 content; that the circulator knows their respective residences given; that the
22 circulator knows that each signer signed on the date stated opposite his or her name;
23 that the circulator ~~resides within the jurisdiction or district in which the petition is~~
24 circulated is a qualified elector of this state, or if not a qualified elector of this state,
25 that the circulator is a U.S. citizen age 18 or older who, if he or she were a resident

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1 of this state, would not be disqualified from voting under s. 6.03, Wis. stats.; and that
2 the circulator is aware that falsifying the certification is punishable under s. 12.13
3 (3) (a). The circulator shall indicate the date that he or she makes the certification
4 next to his or her signature.

5 **SECTION 147.** 9.01 (1) (ag) 1., 1m. and 2. of the statutes are amended to read:

6 9.01 (1) (ag) 1. If the difference between the votes cast for the leading candidate
7 and those cast for the petitioner or the difference between the affirmative and
8 negative votes cast upon any referendum question is less than 10 if 1,000 or less votes
9 are cast or not more than 0.5% of the total votes cast for the office or on the question
10 if more than 1,000 votes are cast prior to issuance of any amended return under s.
11 6.22 (5m) (f), the petitioner is not required to pay a fee.

12 1m. If the difference between the votes cast for the leading candidate and those
13 cast for the petitioner or the difference between the affirmative and negative votes
14 cast upon any referendum question is at least 10 if 1,000 or less votes are cast or is
15 more than 0.5% but not more than 2% if more than 1,000 votes are cast prior to
16 issuance of any amended return under s. 6.22 (5m) (f), the petitioner shall pay a fee
17 of \$5 for each ward for which the petition requests a ballot recount, or \$5 for each
18 municipality for which the petition requests a recount where no wards exist.

19 2. If the difference between the votes cast for the leading candidate and those
20 cast for the petitioner or the difference between the affirmative and negative votes
21 cast upon any referendum question is more than 2% if more than 1,000 votes are cast
22 prior to issuance of any amended return under s. 6.22 (5m) (f), the petitioner shall
23 pay a fee equal to the actual cost of performing the recount in each ward for which
24 the petition requests a recount, or in each municipality for which the petition request
25 a recount where no wards exist.

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SECTION 148

1 **SECTION 148.** 9.01 (1) (ag) 2m. of the statutes is created to read:

2 9.01 (1) (ag) 2m. For purposes of subds. 1m. and 2., the number of votes cast
3 at an election excludes any votes that may be eligible to be counted under s. 6.22 (5m)
4 (a).

5 **SECTION 149.** 9.01 (1) (b) (intro.) of the statutes is amended to read:

6 9.01 (1) (b) (intro.) The Except as provided in this paragraph, the proper board
7 of canvassers shall reconvene no earlier than 9 a.m. on the day following delivery of
8 notice to all candidates under sub. (2) and no later than 9 a.m. on the day following
9 the last day for filing of a petition and proceed to recount the ballots in the wards or
10 municipalities specified and to review the allegations of fact contained in the petition
11 or petitions. If s. 6.22 (5m) (dm) applies, the board of canvassers shall not proceed
12 with the recount until 9 a.m. on the day following the last day for filing of a petition
13 and, if s. 6.22 (5m) (e) applies, shall not proceed with the recount until it complies
14 with s. 6.22 (5m) (f). The recount shall proceed for each ward or municipality as
15 follows:

16 **SECTION 150.** 9.01 (10) of the statutes is amended to read:

17 9.01 (10) STANDARD FORMS AND METHODS. The elections board shall prescribe
18 standard forms and procedures for the making of recounts under this section. The
19 procedures prescribed by the elections board shall require the boards of canvassers
20 in recounts involving more than one board of canvassers to consult with the elections
21 board staff prior to beginning any recount in order to ensure that uniform procedures
22 are used, to the extent practicable, in such recounts.

23 **SECTION 151.** 9.10 (2) (b) of the statutes is amended to read:

24 9.10 (2) (b) A recall petition for requesting the recall of a city, village, town or
25 school district office officer shall contain a statement of a reason for the recall which

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1 ~~is related to the official responsibilities of the official for whom removal is sought~~
2 each cause for the recall and the grounds that constitute each cause. In this
3 paragraph, "cause" means official misconduct or malfeasance in office.

4 **SECTION 152.** 9.10 (2) (d) of the statutes is amended to read:

5 9.10 (2) (d) No petition may be offered for filing for the recall of an officer unless
6 the petitioner first files a registration statement under s. 11.05 (1) or (2) with the
7 filing officer with whom the petition is filed. The petitioner shall append to the
8 registration a statement indicating his or her intent to circulate a recall petition, the
9 name of the officer for whom recall is sought and, in the case of a petition for the recall
10 of a city, village, town or school district officer, a statement of ~~a reason for the recall~~
11 ~~which is related to the official responsibilities of the official for whom removal is~~
12 ~~sought~~ each cause, as defined in par. (b), for the recall and the grounds that constitute
13 each cause. No petitioner may circulate a petition for the recall of an officer prior to
14 completing registration. The last date that a petition for the recall of a state,
15 congressional, legislative, judicial or county officer may be offered for filing is 5 p.m.
16 on the 60th day commencing after registration. The last date that a petition for the
17 recall of a city, village, town or school district officer may be offered for filing is 5 p.m.
18 on the 30th day commencing after registration. After the recall petition has been
19 offered for filing, no name may be added or removed. No signature may be counted
20 unless the date of the signature is within the period provided in this paragraph.

21 **SECTION 153.** 9.10 (2) (em) 2. of the statutes is amended to read:

22 9.10 (2) (em) 2. ~~The residency of the circulator cannot be determined by the~~
23 ~~information given on the petition~~ is not a qualified circulator.

24 **SECTION 154.** 9.10 (4) (a) of the statutes is amended to read:

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1 9.10 (4) (a) Within 10 days after a petition for the recall of a city, village, town,
2 or school district ~~official~~, officer is offered for filing, the officer against whom the
3 petition is filed may file a written challenge with the municipal clerk or board of
4 election commissioners or school district clerk with whom it is filed, specifying any
5 alleged insufficiency. If a challenge is filed, the petitioner may file a written rebuttal
6 to the challenge with the clerk or board of election commissioners within 5 days after
7 the challenge is filed. If a rebuttal is filed, the officer against whom the petition is
8 filed may file a reply to any new matter raised in the rebuttal within 2 days after the
9 rebuttal is filed. Within 14 days after the expiration of the time allowed for filing a
10 reply to a rebuttal, the clerk or board of election commissioners shall file the
11 certificate or an amended certificate. Within 31 days after the petition is offered for
12 filing, the clerk or board of election commissioners shall determine by careful
13 examination of the face of the petition whether the petition is sufficient and shall so
14 state in a certificate attached to the petition. If the petition is found to be insufficient,
15 the certificate shall state the particulars creating the insufficiency. The petition may
16 be amended to correct any insufficiency within 5 days following the affixing of the
17 original certificate. Within 2 days after the offering of the amended petition for filing,
18 the clerk or board of election commissioners shall again carefully examine the face
19 of the petition to determine sufficiency and shall attach to the petition a certificate
20 stating the findings. Immediately upon finding an original or amended petition
21 sufficient, except in cities over 500,000 population, the municipal clerk or school
22 district clerk shall transmit the petition to the governing body or to the school board.
23 Immediately upon finding an original or amended petition sufficient, in cities over
24 500,000 population, the board of election commissioners shall file the petition in its
25 office.

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1 **SECTION 155.** 10.01 (2) (e) of the statutes is amended to read:

2 10.01 (2) (e) Type E—The type E notice shall state the qualifications for
3 absentee voting, the procedures for obtaining an absentee ballot in the case of
4 registered and unregistered voters, and the places and the deadlines for application
5 and return of application, including any alternate site under s. 6.855, and the office
6 hours during which an elector may cast an absentee ballot in the municipal clerk's
7 office or at an alternate site under s. 6.855. The municipal clerk shall publish a type
8 E notice on the 4th Tuesday preceding each spring primary and election, on the 4th
9 Tuesday preceding each September primary and general election, on the 4th Tuesday
10 preceding the primary for each special national, state, county or municipal election
11 if any, on the 4th Tuesday preceding a special county or municipal referendum, and
12 on the 3rd Tuesday preceding each special national, state, county or municipal
13 election to fill an office which is not held concurrently with the spring or general
14 election. The clerk of each special purpose district which calls a special election shall
15 publish a type E notice on the 4th Tuesday preceding the primary for the special
16 election, if any, on the 4th Tuesday preceding a special referendum, and on the 3rd
17 Tuesday preceding a special election for an office which is not held concurrently with
18 the spring or general election except as authorized in s. 8.55 (3).

19 **SECTION 156.** 10.02 (3) (a) of the statutes is amended to read:

20 10.02 (3) (a) Upon entering the polling place and before being permitted to vote,
21 an elector shall state his or her name and address ~~and provide identification if~~
22 ~~required by federal law.~~ If an elector is not registered to vote, an elector may register
23 to vote at the polling place serving his or her residence if the elector provides proof
24 of residence or the elector's registration is verified by another elector of the same
25 municipality where the elector resides. Where ballots are distributed to electors, the

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1 initials of 2 inspectors must appear on the ballot. Upon being permitted to vote, the
2 elector shall retire alone to a voting booth or machine and cast his or her ballot, except
3 that an elector who is a parent or guardian may be accompanied by the elector's
4 minor child or minor ward. An election official may inform the elector of the proper
5 manner for casting a vote, but the official may not in any manner advise or indicate
6 a particular voting choice.

7 **SECTION 157.** 12.03 (title) and (1) of the statutes are amended to read:

8 **12.03 (title) ~~Election day campaigning~~ Campaigning restricted.** (1) No
9 election official may engage in electioneering on election day. No municipal clerk or
10 employee of the clerk may engage in electioneering in the clerk's office or at the
11 alternate site under s. 6.855 during the hours that ballots may be cast at those
12 locations.

13 **SECTION 158.** 12.03 (2) of the statutes is repealed and recreated to read:

14 **12.03 (2) (a) 1.** No person may engage in electioneering during polling hours
15 on election day at a polling place.

16 **2.** No person may engage in electioneering in the municipal clerk's office or at
17 an alternate site under s. 6.855 during the hours that absentee ballots may be cast.

18 **(b) 1.** No person may engage in electioneering during polling hours on any
19 public property on election day within 100 feet of an entrance to a building containing
20 a polling place.

21 **2.** No person may engage in electioneering during the hours that absentee
22 ballots may be cast on any public property within 100 feet of an entrance to a building
23 containing the municipal clerk's office or an alternate site under s. 6.855.

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1 3. No person may engage in electioneering within 100 feet of an entrance to or
2 within a nursing home or qualified retirement home or community-based
3 residential facility while special voting deputies are present at the home or facility.

4 (d) This subsection does not apply to the placement of any material on the
5 bumper of a motor vehicle that is parked or operated at a place and time where
6 electioneering is prohibited under this subsection.

7 **SECTION 159.** 12.035 of the statutes is created to read:

8 **12.035 Posting and distribution of election-related material.** (1) In this
9 section, "election-related material" means any written matter which describes, or
10 purports to describe, the rights or responsibilities of individuals voting or registering
11 to vote at a polling place or voting an absentee ballot at the office of the municipal
12 clerk or an alternate site under s. 6.855.

13 (2) The legislature finds that posting or distributing election-related material
14 at the polling place, at locations where absentee ballots may be cast, or near the
15 entrance to such locations when voting is taking place may mislead and confuse
16 electors about their rights and responsibilities regarding the exercise of the franchise
17 and tends to disrupt the flow of voting activities at such locations. The legislature
18 finds that the restrictions imposed by this section on the posting or distribution of
19 election-related material are necessary to protect the compelling governmental
20 interest in orderly and fair elections.

21 (3) (a) No person may post or distribute any election-related material during
22 polling hours on election day at a polling place.

23 (b) No person may post or distribute any election-related material during
24 polling hours on any public property on election day within 100 feet of an entrance
25 to a building containing a polling place.

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(c) No person may post or distribute any election-related material at the office of the municipal clerk or at an alternate site under s. 6.855 during hours that absentee ballots may be cast.

(d) No person may post or distribute election-related material during the hours that absentee ballots may be cast on any public property within 100 feet of an entrance to a building containing the office of the municipal clerk or an alternate site under s. 6.855.

(4) Subsection (3) does not apply to any of the following:

(a) The posting or distribution of election-related material posted or distributed by the municipal clerk or other election officials.

(b) The placement of any material on the bumper of a motor vehicle located on public property.

(5) A municipal clerk, election inspector, or law enforcement officer may remove election-related material posted in violation of sub. (3) and may confiscate election-related material distributed in violation of sub. (3).

SECTION 160. 12.04 (2) of the statutes is amended to read:

12.04 (2) Except as provided in s. ss. 12.03 or 12.035 or as restricted under sub. (4), any individual may place a sign containing a political message upon residential property owned or occupied by that individual during an election campaign period.

SECTION 161. 12.07 (2) of the statutes is amended to read:

12.07 (2) No employer may refuse to allow an employee to serve as an election official under s. 7.30 or make any threats or offer any inducements of any kind to the employee for the purpose of preventing the employee from so serving.

SECTION 162. 12.09 of the statutes is repealed and recreated to read:

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1 **12.09 Election threats.** (1) No person may personally or through an agent
2 make use of or threaten to make use of force, violence, or restraint in order to induce
3 or compel any person to vote or refrain from voting at an election.

4 (2) No person may personally or through an agent, by abduction, duress, or any
5 fraudulent device or contrivance, impede or prevent the free exercise of the franchise
6 at an election.

7 (3) No person may personally or through an agent, by any act compel, induce,
8 or prevail upon an elector either to vote or refrain from voting at any election for or
9 against a particular candidate or referendum.

10 **SECTION 163.** 12.13 (3) (ze) of the statutes is created to read:

11 12.13 (3) (ze) Compensate a person who obtains voter registration forms from
12 other persons at a rate that varies in relation to the number of voter registrations
13 obtained by the person.

14 **SECTION 164.** 12.13 (4) of the statutes is repealed.

15 **SECTION 165.** 12.60 (1) (b) of the statutes is amended to read:

16 12.60 (1) (b) Whoever violates s. 12.03, 12.05, 12.07, 12.08 or 12.13 (2) (b) 8.,
17 (3) (b), (c), (d), (g), (i), (n) to (x), (ze), (zm) or (zn) may be fined not more than \$1,000,
18 or imprisoned not more than 6 months or both.

19 **SECTION 166.** 12.60 (1) (c) of the statutes is amended to read:

20 12.60 (1) (c) Whoever violates s. 12.13 (3) (am) ~~or~~ (4) may be required to forfeit
21 not more than \$500.

22 **SECTION 167.** 12.60 (1) (d) of the statutes is amended to read:

23 12.60 (1) (d) Whoever violates s. 12.035 or 12.13 (3) (h) may be required to
24 forfeit not more than \$100.

25 **SECTION 168.** 17.29 of the statutes is amended to read:

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SECTION 168

1 **17.29 Effect of chapter.** The provisions of this chapter supersede all contrary
2 provisions in either the general law or in special acts, except ch. 7 ss. 6.26 (2) (b), 6.28
3 (2) (b), 6.55 (6), 6.875, and 7.30 relating to appointed election officers ~~appointed for~~
4 ~~the election wards or polling places in the state~~ officials and ch. 21 relating to the
5 military staff of the governor and to officers of the Wisconsin national guard; and
6 shall govern all offices whether created by general law or special act, unless
7 otherwise specially provided.

8 **SECTION 169.** 301.03 (3a) of the statutes is created to read:

9 **301.03 (3a)** Subject to all of the following, design a form to provide notice under
10 ss. 302.117, 973.09 (4m), and 973.176 (2) of ineligibility to vote under s. 6.03 (1) (b):

11 (a) The form shall inform the person who is ineligible to vote that he or she may
12 not vote in any election until his or her civil rights are restored.

13 (b) The form shall inform the person who is ineligible to vote when his or her
14 civil rights are expected to be restored.

15 (c) The form shall include a place for the person to sign indicating that he or
16 she understands that he or she may not vote in any election until his or her civil
17 rights are restored. The form shall include a place also for a witness signature.

18 (d) The department shall retain the form, and a copy shall be given to the
19 person.

20 **SECTION 170.** 301.03 (20) of the statutes is created to read:

21 **301.03 (20)** Transmit to the elections board, on a continuous basis, a list
22 containing the name of each living person who has been convicted of a felony under
23 the laws of this state and whose civil rights have not been restored, together with his
24 or her residential address and the date on which the department expects his or her
25 civil rights to be restored.

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1 **SECTION 171.** 302.117 of the statutes is amended to read:

2 **302.117 Notice regarding ineligibility to vote.** When an inmate who is
3 disqualified from voting under s. 6.03 (1) (b) is released to parole or extended
4 supervision, the department shall inform the person in writing that he or she may
5 not vote in any election until his or her civil rights are restored. The department shall
6 use the form designed under s. 301.03 (3a) to inform the person, and the person and
7 a witness shall sign the form.

8 **SECTION 172.** 880.33 (9) of the statutes is amended to read:

9 **880.33 (9)** All the rights and privileges afforded a proposed incompetent under
10 this section shall be given to any person who is alleged to be ineligible to register to
11 vote or to vote in an election by reason that such person is incapable of understanding
12 the objective of the elective process. The determination of the court shall be limited
13 to a finding that the elector is either eligible or ineligible to register to vote or to vote
14 in an election by reason that the person is or is not capable of understanding the
15 objective of the elective process. The determination of the court shall be
16 communicated in writing by the clerk of court to the election official or agency
17 charged under s. 6.48, 6.92, 6.925 ~~or~~, 6.93, or 7.52 (5) with the responsibility for
18 determining challenges to registration and voting which may be directed against
19 that elector. The determination may be reviewed as provided in s. 880.34 (4) and (5)
20 and any subsequent determination of the court shall be likewise communicated by
21 the clerk of court.

22 **SECTION 173.** 973.09 (4m) of the statutes is amended to read:

23 **973.09 (4m)** The department shall inform each probationer who is disqualified
24 from voting under s. 6.03 (1) (b) that he or she may not vote in any election until his
25 or her civil rights are restored. The department shall use the form designed under

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1 s. 301.03 (3a) to inform the probationer, and the probationer and a witness shall sign
2 the form.

3 **SECTION 174.** 973.176 (2) of the statutes is amended to read:

4 973.176 (2) VOTING. Whenever a court imposes a sentence or places a defendant
5 on probation for a conviction that disqualifies the defendant from voting under s. 6.03
6 (1) (b), the court shall inform the defendant in writing that he or she may not vote
7 in any election until his or her civil rights are restored. The court shall use the form
8 designed by the department of corrections under s. 301.03 (3a) to inform the
9 defendant, and the defendant and a witness shall sign the form.

10 **SECTION 175. Nonstatutory provisions.**

11 (1) ELECTION-RELATED CONTINGENCY PLANNING. The elections board shall
12 prepare a report and recommendations with regard to state and local
13 election-related contingency planning efforts and preparedness regarding natural
14 disasters or terrorist activities that may occur at or near election time. No later than
15 the first day of the 7th month beginning after publication of this act, the elections
16 board shall submit the report and recommendations to the chief clerk of each house
17 of the legislature for distribution to the appropriate standing committees of the
18 legislature in the manner provided under section 13.172 (3) of the statutes.

19 (2) AUDITS OF LOCAL ELECTION PRACTICES. The elections board shall prepare
20 recommendations with regard to random post-election audits of local election
21 practices to be conducted in the fall of odd-numbered years. The recommendations
22 shall include recommendations on how election practices in a given municipality
23 may be reviewed by election officials of other, similar-sized municipalities and how
24 the state will fund such audits. No later than December 31, 2006, the elections board
25 shall submit the recommendations to the chief clerk of each house of the legislature

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1 for distribution to the appropriate standing committees of the legislature in the
2 manner provided under s. 13.172 (3) of the statutes.

3 (3) POLLING PLACE OBSERVATION RULES.

4 (a) The elections board shall submit in proposed form the rules required under
5 section 7.41 (5) of the statutes, as created by this act, to the legislative council staff
6 under section 227.15 (1) of the statutes no later than the 60th day beginning after
7 publication of this act.

8 (b) Using the procedure under section 227.24 of the statutes, the elections
9 board may promulgate rules required under s. 7.41 (5) of the statutes, as created by
10 this act, for the period before the effective date of the rules submitted under
11 paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c)
12 and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the
13 statutes, the board is not required to provide evidence that promulgating a rule
14 under this paragraph as an emergency rule is necessary for the preservation of the
15 public peace, health, safety, or welfare and is not required to provide a finding of
16 emergency for a rule promulgated under this paragraph.

17 (4) FEES FOR COPIES OF REGISTRATION LIST. The elections board may promulgate
18 emergency rules under section 227.24 of the statutes implementing section 6.36 (6)
19 of the statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2)
20 of the statutes, emergency rules promulgated under this subsection remain in effect
21 until the date on which permanent rules take effect. Notwithstanding section 227.24
22 (1) (a) and (3) of the statutes, the elections board is not required to provide evidence
23 that promulgating a rule under this subsection as an emergency rule is necessary for
24 the preservation of public peace, health, safety, or welfare and is not required to
25 provide a finding of emergency for a rule promulgated under this subsection.

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1 (5) ELECTION OFFICIALS; INTERIM TERMS. Notwithstanding section 7.30 (6) (a) of
2 the statutes, as affected by this act, the persons who are appointed as election
3 officials under section 7.30 (4) of the statutes in 2006 shall serve for terms of one year
4 and until their successors are appointed and qualified.

5 (6) DISTRIBUTION OF FORMS TO CONVICTED FELONS. No later than the first day of
6 the 6th month beginning after the effective date of this subsection, the department
7 of corrections shall distribute, and have signed in front of a witness, a copy of the form
8 designed under section 301.03 (3a) of the statutes, as created by this act, to each
9 person who is on probation, parole, or extended supervision on that date and who is
10 disqualified from voting in any election under section 6.03 (1) (b) of the statutes.

11 **SECTION 176. Initial applicability.**

12 (1) NOTICE OF SCHOOL DISTRICT REFERENDA. The treatment of section 8.37 of the
13 statutes first applies to a measure or question that becomes subject to a filing
14 requirement under section 8.37 of the statutes on the effective date of this subsection.

15 (2) RECOUNTS. The renumbering and amendment of section 5.90 of the statutes
16 and the creation of section 5.90 (2) and (3) of the statutes by this act first apply to
17 recount petitions filed on the effective date of this subsection.

18 (3) TERMS OF CERTAIN POLL WORKERS. The treatment of sections 7.30 (2) (am), (6)
19 (a), and (6) (am) of the statutes first applies to appointments made on the effective
20 date of this subsection.

21 (4) PETITIONS FOR RECALL. The treatment of sections 9.10 (2) (b) and (d) and (4)
22 (a) of the statutes first applies with respect to petitions for recall that are offered for
23 filing on the effective date of this subsection.

24 (5) CIRCULATORS OF NOMINATION PAPERS AND PETITIONS. The treatment of sections
25 5.02 (16g), 8.10 (3) (intro.), 8.15 (4) (a), 8.20 (3), 8.40 (2), and 9.10 (2) (em) 2. of the

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1 statutes first applies with respect to nomination paper circulation periods that begin
2 and petitions that are initially circulated on the effective date of this subsection.

3 (6) NOTIFICATION REGARDING INELIGIBILITY TO VOTE DURING PAROLE OR EXTENDED
4 SUPERVISION. The treatment of section 302.117 of the statutes first applies to persons
5 whom the department of corrections releases to parole or extended supervision on
6 the effective date of this subsection.

7 (7) NOTIFICATION REGARDING INELIGIBILITY TO VOTE DURING PROBATION. The
8 treatment of section 973.09 (4m) of the statutes first applies to persons whom the
9 court places on probation on the effective date of this subsection.

10 (8) NOTIFICATION AT SENTENCING REGARDING INELIGIBILITY TO VOTE. The treatment
11 of section 973.176 (2) of the statutes first applies to persons who are sentenced or
12 placed on probation on the effective date of this subsection.

13 (9) ELECTION OFFICIAL TRAINING. The treatment of sections 7.15 (1m), 7.30 (2)
14 (c), and 7.315 of the statutes first applies with respect to elections held in 2008.

15 **SECTION 177. Effective date.**

16 (1) This act takes effect on July 1, 2006, or on the day after publication,
17 whichever is later.

18 (END)

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